

ADMINISTRATIVE INVESTIGATION
CONFIDENTIAL
#14-056

Subject: Donald Couch, Deputy Sheriff, ACSO [REDACTED]
Representative: Steven Welty, Attorney, Mastagni Law Firm
Witness: [REDACTED], Sergeant, ACSO [REDACTED]
Witness: [REDACTED] Deputy Sheriff, ACSO [REDACTED]
Witness: [REDACTED] [REDACTED], Deputy Sheriff, ACSO [REDACTED]
Witness: [REDACTED] [REDACTED] Deputy Sheriff, ACSO [REDACTED]
Witness: [REDACTED] Civilian
Investigator: Kelly Miles, Captain, ACSO [REDACTED]
Investigator: Robert McGrory, Sergeant, ACSO [REDACTED]

Complainant: Internal
Investigator: Daniel Baer, Sergeant, [REDACTED]
July 1, 2014



ALAMEDA COUNTY SHERIFF'S OFFICE EMPLOYEE DATA SHEET

Couch, II, Donald E.
Deputy

Employee ID Number #: [REDACTED]

Badge #: 1408

Emp Status: Active Duty

Work Status: On Loan

Lateral: No POST Graduate: Yes

Work Location: Dublin Police Services

Team: C-Team

Supervisor: Couch, II, Donald E.

ACSO Hire Date: 08/14/2005

County Hire Date: 08/14/2005

Class Appt. Date: 08/14/2005

Race: W

CORPUS: [REDACTED]

Sex: Male

DOB: [REDACTED]

City: [REDACTED]



Photo ID

Home Phone: [REDACTED]

Cell Phone 1: [REDACTED]

Cell Phone 2: [REDACTED]

POST ID: [REDACTED]

Supervisor Status: Non-Spvsr

e-mail Address:

SUMMARY OF COMPLAINT

On Tuesday, July 1, 2014, Captain Kelly Miles assigned this Internal Affairs Administrative Investigation to me. This is an internal complaint. To assist in the initial stages of this investigation I was provided with recordings of two witness interviews, which were conducted on Deputy [REDACTED] and Deputy [REDACTED] by Captain Miles and Sergeant Robert McGrory. Also included in the initial investigative packet was a memorandum authored on June 26, 2014, by Sergeant [REDACTED]

Summary of memorandum prepared by Sergeant [REDACTED], to Captain Kelly Miles, dated June 26, 2014

Sergeant [REDACTED] reported information he received from Deputy [REDACTED] regarding possible misconduct and illegal activity by Deputy Donald Couch. Deputy [REDACTED] told [REDACTED] that on June 25, 2014, Deputy [REDACTED] expressed concerns to Deputy [REDACTED] about two separate incidents where Deputy Donald Couch had failed to place confiscated narcotic prescription medication into evidence. Deputy [REDACTED] concern was that Deputy Couch retained the prescription medication for personal use.

Deputy [REDACTED] also told Deputy [REDACTED] that Deputy Couch took the narcotic pills for Deputy Couch's personal use and was mixing prescription drugs with alcohol. According to Deputy [REDACTED] statement to Deputy [REDACTED] Deputy [REDACTED] and possibly other deputies working with Deputy Couch had witnessed some of those incidents.

According to Deputy [REDACTED] Deputy [REDACTED] was greatly concerned and affected by the actions of Deputy Couch and did not know what to do in regards to reporting the incidents. Deputy Couch and Deputy [REDACTED] are good friends and are assigned to C-Team at Dublin Police Services, (DPS).

Based on the above information the following allegations will be addressed:

Between January 1, 2014, and March 31, 2014, did Deputy Donald Couch knowingly take prescription narcotics with the intent to become intoxicated?

Between January 19, 2014, and June 21, 2014, while searching items belonging to possible suspects, did Deputy Couch fail to follow policy by not placing illegal items, specifically prescription narcotics, into evidence?

SUMMARY OF INVESTIGATION

ALL INTERVIEWS WERE DIGITALLY RECORDED UNLESS OTHERWISE INDICATED. THE RECORDINGS WERE LATER TRANSFERRED TO COMPACT DISC AND RETAINED AT THE INTERNAL AFFAIRS OFFICE FOR REVIEW.

Witness interview of Deputy [REDACTED]

On Thursday, June 26, 2014, about 1747 hours, Captain Miles and Sergeant McGrory conducted an interview with Deputy [REDACTED]. The interview was conducted in reference to Internal Affairs case # 14-056, to which Deputy [REDACTED] was a witness. The interview was conducted at the Dublin City Hall Counsel's Chamber meeting room, 100 Civic Plaza, Dublin, CA.

The recording of this interview was subsequently sent to Net Transcripts to be transcribed. Once the transcription was transcribed, I listened to the recording and read the transcription to ensure its accuracy. There were a few corrections made and below is a synopsis of the interview followed by an accurate transcription of the interview with Deputy [REDACTED].

Deputy [REDACTED] was advised by Captain Miles they were there to speak about Deputy Couch. Deputy [REDACTED] was asked if there was anything Deputy [REDACTED] knew about Deputy Couch that was troubling him. Deputy [REDACTED] stated he had known Deputy Couch for some time and they are very close friends. According to Deputy [REDACTED] Deputy Couch had been exhibiting unethical behavior, both on and off duty. Deputy [REDACTED] concerns had grown stronger over the past week and Deputy [REDACTED] said he planned on addressing the issue with Deputy Couch that evening, June 26, 2014.

Deputy [REDACTED] struggled with which words to use and appeared to be distraught about Deputy Couch's actions. Over the last few months, Deputy [REDACTED] has noticed Deputy Couch "Displaying a likeness" to prescription medications. Deputy [REDACTED] named the medications as Vicodin and Norco. Deputy [REDACTED] was asked how Deputy [REDACTED] knew this information. Deputy [REDACTED] said through conversations with Deputy Couch and a through an incident where Deputy Couch had consumed alcohol and had taken prescription medication.

Deputy [REDACTED] described one incident which occurred a few months ago, possibly January, February or March 2014, while Deputy Couch was at Deputy [REDACTED] residence and Deputy Couch's children were present. Deputy [REDACTED] stated Deputy Couch drank three to four rum and cokes along with a prescription pill. Deputy [REDACTED] wife had to drive Deputy Couch and his children home because Deputy Couch became extremely intoxicated.

Deputy [REDACTED] explained that Deputy [REDACTED] cares for his father in Deputy [REDACTED] residence that requires keeping Deputy [REDACTED] father's medication in Deputy [REDACTED] residence. Deputy [REDACTED] stated Deputy Couch had asked Deputy [REDACTED] for a prescription pill because Deputy Couch had back pain. Deputy [REDACTED] told Deputy Couch "I have pain medication if you are that bad." While Deputy [REDACTED] was reading which types of prescriptions he had, Deputy Couch said, "Give me one of those." Deputy [REDACTED] did not recall what type of prescription pill

he gave to Deputy Couch. Deputy [REDACTED] believed the prescription pill was "In the realm of Vicodin or something to that effect."

Deputy [REDACTED] thought Deputy Couch became addicted to prescription pills because Deputy Couch's current girlfriend, [REDACTED] was prescribed prescription medication due to her illness. Deputy [REDACTED] had no facts to support that allegation, other than Deputy Couch's issues with prescription pills began about the time Deputy Couch started dating [REDACTED]. Deputy [REDACTED] also said Deputy Couch had been going through a stressful divorce for the past year. Since the incident in Deputy [REDACTED] residence, Deputy Couch had not asked Deputy [REDACTED] for any prescription medication. However, Deputy [REDACTED] suspects Deputy Couch does mix alcohol with prescription medication because of comments that had been made by Deputy Couch about having a glass of wine with a prescription pill to relax from the stress. Captain Miles asked Deputy [REDACTED] if Deputy [REDACTED] had any idea where else Deputy Couch may have gotten prescription pills from. Deputy [REDACTED] said "I would assume from [REDACTED]," but did not know if she gave the pills to Deputy Couch or if Deputy Couch took them without [REDACTED] knowledge.

Captain Miles asked Deputy [REDACTED] about a time when Deputy [REDACTED] covered Deputy Couch on a call and there was concern about evidence. Deputy [REDACTED] said "Yes, that occurred Friday," which was June 20, 2014. Deputy [REDACTED] explained he and other deputies were dispatched to a possible burglary in progress detail. Upon arrival, three subjects were located in a storage shed of an apartment complex. While detaining the subjects, Deputy Couch located a heroin kit which contained a small amount of methamphetamines and what appeared to look like prescription medication, "Pills." The location was identified as the Cottonwood Apartments, 6538 Cottonwood Circle, Dublin. Deputy [REDACTED] said he saw four pills that were "Circular in nature." Deputy [REDACTED] said he was standing next to Deputy Couch when Deputy Couch was looking at the heroin kit. Deputy [REDACTED] heard Deputy Couch saying out loud, "We have badness here, we got badness here, and these are for me," as Deputy Couch was pointing to the contents of the heroin kit. Deputy [REDACTED] stated Deputy Couch was referring to the pills when Deputy Couch stated "These are for me." Deputy [REDACTED] told Captain Miles that Deputy Couch took the pills and placed them into Deputy Couch's right front pants pocket. Deputy [REDACTED] was unsure if Deputy Couch saw Deputy [REDACTED] because Deputy [REDACTED] was standing behind and to the left of Deputy Couch. The remaining illegal items were used to charge the suspects. During this detail, Deputy [REDACTED] was the primary deputy. Deputy [REDACTED] did not think Deputy [REDACTED] was in a position to see what had occurred when Deputy Couch pocketed the pills. According to Deputy [REDACTED] the suspects had been moved to the rear of the storage shed and could not see or hear what was said inside. Deputy [REDACTED] was asked if he knew what Oxycontin looked like and if the pills Deputy Couch took could have been Oxycontin. Based on Deputy [REDACTED] training and experience, Deputy [REDACTED] thought the pills could have been Oxycontin.

Deputy [REDACTED] also related another incident where Deputy Couch was suspected of taking prescription medication from a suspect. Deputy [REDACTED] was not present at the time and only knew what was told to him by Deputy [REDACTED]. Deputy [REDACTED] was told by Deputy [REDACTED] that the incident occurred on June 21, 2014, at a detail where deputies responded to the Extended Stay Hotel, Room 101, 4500 Dublin Boulevard in Dublin.

According to what Deputy [REDACTED] told Deputy [REDACTED] methamphetamine, a methamphetamine pipe, and prescription medication were located during a probation search in one of the hotel rooms. Deputy [REDACTED] stated Deputy [REDACTED] said the prescription pills were "pocketed" by Deputy Couch. Deputy [REDACTED] said Deputy [REDACTED] Deputy [REDACTED] and Deputy Couch were present during the probation search.

Deputy [REDACTED] explained he had been concerned about Deputy Couch ever since the incident which occurred at Deputy [REDACTED] residence where Deputy Couch became intoxicated and ingested a prescription pill. Deputy [REDACTED] stated he had also spoken to Deputy [REDACTED] [REDACTED] about Deputy Couch's behavior. Together, Deputy [REDACTED] and Deputy [REDACTED] decided to wait and see if anything happened again, and if so, they would talk to Deputy Couch. Deputy [REDACTED] stated he did not advise a supervisor because he wished to hear what Deputy Couch had to say first. Deputy [REDACTED] said he had only spoken to Deputies [REDACTED] and [REDACTED] about Deputy Couch's actions.

The interview was concluded at 1823 hours.

TRANSCRIPT OF INTERVIEW WITH DEPUTY [REDACTED]

Captain Miles: Okay, I'm Captain (Kelly) Miles. We're here at the Dublin City Hall Council's Chamber Meeting Room. I'm with Sergeant McGrory and we're gonna be interviewing, um, Deputy [REDACTED] on a case, um, that's yet to be assigned a number. Um, the date is June 26, 2014. Um, it's a Thursday and the time is approximately 1747 hours. Um, Deputy [REDACTED] we're here, quite honestly to talk to you about, uh, Deputy (Couch), okay? Um, understand that, um, i- well, it - why - why don't you - is there anything that you know about Deputy (Couch) that's been troubling you?

Deputy [REDACTED] Yes.

Captain Miles: Okay. That's what we're here to talk to you about. But I need to get some exact information. Like I said, we're on a fact-finding mission here. Um, we need to know what we're dealin' with and, um, and th- you know, take appropriate action with it.

Deputy [REDACTED] Okay

Captain Miles: Um, why don't you tell me - as a matter of fact, I know, um, you - you talked to a deputy in re- in regards to, um, there was a night that your dad was in the hospital?

Deputy [REDACTED] That was last night.

Captain Miles: It was just last night?

Deputy [REDACTED] Yes, sir.

Captain Miles: Um, why don't you tell me, you know, what - what - what's goin' on.

Deputy [REDACTED] Um, I'll preface it by saying that I've known (Couch) my whole career on the Sheriff's Department. Um, we - we became really close friends early in my career. Um, lately he's been exhibiting, uh, behavior, if you will, that's not kosher as far as what our job entails and what our responsibilities is as police officers are. Um...

Captain Miles: Is this, um, off-duty behavior and - and on-duty behavior? Or is it...

Deputy [REDACTED] There's a...

Captain Miles: ...both?

Deputy [REDACTED] ..combination of both.

Captain Miles: Okay.

Deputy [REDACTED] I would say. Um, my concern grew even stronger over the past week or so. Um, my goal was to talk to him tonight about it but he obviously called in sick so he's not here. Uh, but I was intending on addressing the issue tonight.

Captain Miles: Okay.

Deputy [REDACTED] Um, I'm trying to find the right...

Captain Miles: I know - I know this is hard to do when you feel that you're talkin' about somebody that you consider a friend. Um, so, I understand that. But also if the guy needs some help, we wanna get him some help too.

Deputy [REDACTED] Um, but over the last few months, I would say, he's, uh, displayed a - a likeness to prescription medications. Um, whether it be Vicodin, Norco, um...

Captain Miles: How do you know this?

Deputy [REDACTED] Through conversations with Deputy (Couch), uh, there's also been an incident where he's, uh, consumed alcohol and taken prescription medication. I - I care for my father so I have a lot of his medication at my house. Um, I've been asked before to provide him with some of that medication.

- Captain Miles: And which medifi- medication is that specifically?
- Deputy [REDACTED] Uh, to be honest with you, I'd - I'd have to read the bottle. I know it's, uh, it's in the realm of Vicodin or something to that effect. Um, I can't recall the specific name of it but it's - it's in that realm, um...
- Captain Miles: Your - your dad lives with you? You're takin' care of him?
- Deputy [REDACTED] My dad's currently in a - in a rehab hospital right now.
- Captain Miles: Rehab, okay.
- Deputy [REDACTED] Um, he was living with me when I first moved him down here though.
- Captain Miles: Okay.
- Deputy [REDACTED] That's why I have his medication. Um, that particular incident troubled me because he was at my house with his kids, um...
- Captain Miles: And when was that?
- Deputy [REDACTED] I would say a couple months back, maybe in February, March timeframe. Um, but it, uh, it inebriated him to the point where my wife had to drive him and his family home. And he was flirting with the idea of driving himself home and we would - we didn't want to allow that to happen.
- Captain Miles: Good choice. Um, um, and I'm assuming it's - his family just - was it just his kids or was his wife there too?
- Deputy [REDACTED] Just his kids.
- Captain Miles: Okay, or no girlfriend there, just him and the kids?
- Deputy [REDACTED] Uh, just him and the kids.
- Captain Miles: Okay.
- Deputy [REDACTED] And (unintelligible).
- Captain Miles: And did he have - b- did he have he - the, um, prescription drugs that night?
- Deputy [REDACTED] He took one, yes.

Captain Miles: Okay, and drank alcohol?

Deputy [REDACTED] Yes.

Captain Miles: How much did he drink that night?

Deputy [REDACTED] I would say three, maybe four alcoholic beverages.

Captain Miles: Okay, like hard alcohol or beer?

Deputy [REDACTED] Rum and Coke to be exact.

Captain Miles: Rum and Coke. Okay. So, that happened - what you said - was February, which should be about four months ago, right?

Deputy [REDACTED] Roughly.

Captain Miles: Roughly.

Deputy [REDACTED] It coulda been March 'cause my birthday's in March. I don't recall what we were - were doing that particular day or why they were over.

Captain Miles: Okay, do you know how he developed this affinity for prescription drugs? I mean, did he have an injury or anything like that or how this all started?

Deputy [REDACTED] I have an inkling as to how it started. Uh, but I couldn't...

Captain Miles: What's your inkling?

Deputy [REDACTED] Um, his current girlfriend has, uh, had a battle with cancer and she was prescribed.

Captain Miles: Is that [REDACTED], our dispatcher?

Deputy [REDACTED] Yes.

Captain Miles: Okay, so she has prescription meds?

Deputy [REDACTED] Yes.

Captain Miles: Based on her...

Deputy [REDACTED] And, uh, I've never - until, you know, that relationship formed, I've never known (Don) in the past to partake in prescription medications.

Captain Miles: Wh- when'd he start going through his divorce?

Deputy [REDACTED] I believe they're just legally separated at the current juncture.

Captain Miles: Okay, all ri- okay, when did he separate?

Deputy [REDACTED] Uh, uh, probably over a year ago.

Captain Miles: Okay, and how long's he been with Miss [REDACTED] to your knowledge?

Deputy [REDACTED] To my knowledge, uh, roughly the same amount of time. Maybe prior to but...

Captain Miles: Do you know if he has a prescr- a - a - a prescri-

Deputy [REDACTED] I don't believe he does.

Captain Miles: ...a prescription to...

Deputy [REDACTED] I don't believe so.

Captain Miles: You don't believe so? He's asked you what, just that one time or has he been askin' more?

Deputy [REDACTED] Uh, he hasn't asked since that's p- particular incident.

Captain Miles: Yeah, but you know y- or you suspect he's been doin' it more?

Deputy [REDACTED] I suspect he has, yes.

Captain Miles: And why do you suspect that?

Deputy [REDACTED] Based on comments he's made, um, you know? About, uh, popping a pill and having a glass of wine to relax so, um, that would be...

Captain Miles: I- i- has he been saying he's stressed out on stuff or...

Deputy [REDACTED] He has mentioned stress, um, with his divorce and dealings - that whole aspect.

Captain Miles: Do you know where else he's gettin' his - or have an idea where he's gettin' his prescriptions from? Or the prescription meds, the ones he didn't get from you that one time?

Deputy [REDACTED] I would assume from [REDACTED]

Captain Miles: From [REDACTED] ? Do you know if she's giving them to him or is he just liftin' 'em off of her?

Deputy [REDACTED] That I don't know.

Captain Miles: You don't have an idea on that? And when's the most recently that he's talked to you that he's mentioned taking a pill and drinkin' some wine?

Deputy [REDACTED] Uh, maybe a week or two ago, two weeks.

Captain Miles: Um, h- are there any other - been other incidences? Let's say I'm not gonna ask you questions. Let - let me te- I'm not gonna ask you questions I don't know the answers to, okay?

Deputy [REDACTED] I know.

Sgt. McGrory: Wait a minute, lemme - lemme share something else to you. I - I - I - and - and it may be the furthest thing from your mind. You may not care what happens to you. Sometimes we talk to people who are in the same situation you're in and, uh, oftentimes they're not worried about themselves because they're trying to - whatever their object- objectives are. But we're from internal affairs, you know that. I've had you sign a form saying you're a witness. If we ask you questions that are incriminating to you, i- very, very likely we cannot hold you accountable administratively for those answers, okay? So, I don't want you to hold back in answering any of our questions because you're afraid you're gonna get in trouble.

Deputy [REDACTED] Mm.

Sgt. McGrory: If we wanted to get you in trouble, we would've brought a form that said subject form. It is not our objective - we want - we - we wanna know. We just - so, we- we're kinda takin' a chance in askin' you questions with only having you sign the witness form knowing that we're not gonna use anything you say against you administratively. Is that right?

Deputy [REDACTED] I'm just...

Sgt. McGrory: I don't know if that helps you at all but we just - we - we need to get - gather facts and you're - you're our first - first opp.

Deputy [REDACTED] Understood.

Sgt. McGrory: Okay.

- Deputy [REDACTED] Can you repeat your question again?
- Captain Miles: Well, le- let's just put it this way. Was there, uh, any particular time where you covered him on a call and, um, you're concerned about where maybe some evidence ended up?
- Deputy [REDACTED] Yes. Uh, our...
- Captain Miles: And when did that occur?
- Deputy [REDACTED] That occurred Friday, last...
- Captain Miles: This last Friday?
- Deputy [REDACTED] Yes.
- Captain Miles: Which was, uh, the 20th? I believe so.
- Deputy [REDACTED] 20th?
- Captain Miles: Yes, first.
- Deputy [REDACTED] Yeah - yeah.
- Captain Miles: Okay, tell us (unintelligible) - tell us about that.
- Deputy [REDACTED] Um, it was a possible burglary in progress. Um, we located three subjects in a storage shed within a apartment complex. Um, as we detained all the subjects, (Don) located a heroin kit. Within that heroin kit contained a small amount of methamphetamine and what appeared to look like prescription medication pills.
- Captain Miles: Where was this at?
- Deputy [REDACTED] A- at the corner of Dougherty and AVB, I forgot - Cottonwood Apartments, I believe.
- Captain Miles: How many prescription meds were there?
- Deputy [REDACTED] I believe I only saw four pills.
- Captain Miles: Four pills? Could - do you know - have an idea what they were?
- Deputy [REDACTED] I don't.

Captain Miles: What color were they?

Deputy [REDACTED] Um, they were circular in nature, uh, you know, just...

Captain Miles: Col- color?

Deputy [REDACTED] Couldn't see a color, it was...

Captain Miles: But they were circle not oblong?

Deputy [REDACTED] Right.

Captain Miles: Circled? Smaller, bigger?

Deputy [REDACTED] Uh...

Sgt. McGrory: Size of an aspirin?

Deputy [REDACTED] I would say the size of an Advil tablet, maybe.

Captain Miles: You said - Advil's a little kinda oval. I don't know - Advil's the red ones, okay.

Deputy [REDACTED] Yeah.

Captain Miles: All right. I'm thinking A - Aleve. Okay, so, we're...

Sgt. McGrory: So how - how - how'd all that go down?

Deputy [REDACTED] I was standing next to (Don) when he, uh, was searching the - the kit and, uh, when he located the pills. As he was going through the kit - he was saying something to the effect of, "Oh, yeah, badness here, badness here and these are for me." And referring...

Captain Miles: He said that, or the guys were saying that?

Deputy [REDACTED] (Couch) said that.

Captain Miles: He was saying that to the arrestees...

Deputy [REDACTED] He was...

Captain Miles: ...or...

Deputy [REDACTED] He was - he was more or less just talking out loud to himself.

Captain Miles: Okay, and he said r- run...

Deputy [REDACTED] (Unintelligible).

Captain Miles: Run that by me again. he said this is what?

Deputy [REDACTED] "This is bad, this is..."

Captain Miles: Bad?

Deputy [REDACTED] "...bad and these are for me."

Captain Miles: And w- what was he referring to when he said, "These are for me?"

Deputy [REDACTED] The pills.

Captain Miles: The pills?

Deputy [REDACTED] And I don't know if he realized I was standing next to him or - but, I did observe him remove the pills and put 'em in his pocket.

Sgt. McGrory: What happened to the rest? Did he go 1015?

Deputy [REDACTED] Yes.

Captain Miles: What pocket did he put 'em into?

Deputy [REDACTED] I believe his right...

Captain Miles: Pants or shirt?

Deputy [REDACTED] Pants.

Captain Miles: Pant - right pants pocket, front?

Deputy [REDACTED] Yes.

Captain Miles: And, um, so there's three guys there, do you arrest all three of 'em or...

Deputy [REDACTED] All three went to jail, yes.

Captain Miles: Wha- do you know what they - was he the primary officer on the call?

Deputy [REDACTED] I believe Deputy [REDACTED] was the primary officer on the call.

Captain Miles: Hm.

Deputy [REDACTED] Um, however, they split the arrests.

Captain Miles: Yeah, and so, [REDACTED] - [REDACTED] drew the report number and they all wro- everyone wrote sups or he...

Deputy [REDACTED] Yes.

Captain Miles: Okay, wh- who - did you write a sup on it?

Deputy [REDACTED] No.

Captain Miles: No.

Deputy [REDACTED] I was...

Captain Miles: So, just those two split the arrests?

Deputy [REDACTED] Yes.

Captain Miles: Okay, uh, what about [REDACTED] did he know anything about that?

Deputy [REDACTED] I don't believe so.

Captain Miles: No? He never questioned ya on it or anything? He didn't know anything about the pills?

Deputy [REDACTED] Not to - I don't believe [REDACTED] was standing in the same area as we are.

Captain Miles: Did - did (Couch) ever talk to you afterwards about it?

Deputy [REDACTED] No. I, uh, I was leaving Saturday to go camping so I didn't...

Captain Miles: But y- you were saying you don't know if he heard - or if, you don't know if he knows you heard him say that or you - situated somewhere behind him or back off to the side or...

Deputy [REDACTED] I was kind've at his 7:00 view though.

Captain Miles: Okay.

Deputy [REDACTED] Behind him so...

Captain Miles: So, you were kinda off his opposite side of which pocket he put it on - put it in?

Deputy [REDACTED] Yes.

Sgt. McGrory: Were the subjects close enough for - for them to hear him say that?

Deputy [REDACTED] No. They were all escorted to the opposite side of the, uh, storage shed.

Captain Miles: Were there any needles in that kit?

Deputy [REDACTED] Yes.

Captain Miles: Do you know what Oxycontin looks like?

Deputy [REDACTED] Uh, I've seen it before, um...

Captain Miles: Do you think those pills coulda been some Oxycontin?

Deputy [REDACTED] It's likely.

Captain Miles: Why do you say that?

Deputy [REDACTED] Based on training and experience, if you will, I know.

Captain Miles: Well, yeah, but you say you just saw small little white pills so, I mean, you're saying 'cause they resemble the - what you've seen of Oxycontin before because of last - okay.

Deputy [REDACTED] That and, uh, I know people inject it...

Captain Miles: Mm-hm.

Deputy [REDACTED] ...intravenously.

Captain Miles: Is that the only incident of that type that you've...

Deputy [REDACTED] I've learned of another but I was not, uh, witness to it.

Captain Miles: And what was that incident?

Deputy [REDACTED] An incident that occurred that Saturday.

Captain Miles: The Saturday after?

Deputy [REDACTED] Yes.

Captain Miles: After this Friday, so the 21st?

Deputy [REDACTED] I believe so.

Captain Miles: Okay, an- and what happened in that incident that you heard about?

Deputy [REDACTED] They responded to H&S activity at the Extended Stay Hotel. Um, and virtually along the same lines, they find methamphetamine, meth pipe in the room, during a probation search. And also a prescription bottle of prescription medication that I do not know what was - or what it was. But I did hear that a similar incident occurred as far as it being pocketed.

Captain Miles: Who - who was there?

Deputy [REDACTED] Uh, I believe it was Deputy Dormer, possibly Deputy [REDACTED]

Captain Miles: [REDACTED] And who'd you hear that from?

Deputy [REDACTED]

Captain Miles: Yeah, and what did he say? What did he relate to you happened? I mean, in more detail other than some pills were pocketed?

Deputy [REDACTED] I had - I had spoken with Deputy [REDACTED] about...

Captain Miles: Your incident?

Deputy [REDACTED] My incident and expressed the need to possibly have an intervention with (Don) or have a talk with him about what's going on in his life. Where his ethics are right now. Um, if he needs help. Uh, and that it puts everybody else there on scene in a - in a bad light.

Captain Miles: Well, there's a lot things that does.

Deputy [REDACTED] But I - I - I had expressed to Deputy [REDACTED] that - that's what my conversation was gonna be and I asked Deputy [REDACTED] to, uh, join me in that conversation. Uh, and Deputy [REDACTED] had a- advised me of his situation.

Captain Miles: Did he tell you how it went down?

Deputy [REDACTED] Uh, virtually the same way as mine - it sounded like, um. You know, they, um, ran the individuals registered to the room and they came back on

probation. So, when they got into the room to do a probation search, you know, (Don) located all the, uh, evidentiary items, if you will.

Captain Miles: Mm-hm.

Deputy [REDACTED] And, uh, virtually the same thing, you know?

Captain Miles: Well, does - did - do you know if [REDACTED] - did [REDACTED] say he knows - "I saw him take it" or was [REDACTED] like, "I caught it, you know, a glimpse and I saw him pocket some stuff or I saw the pills and they weren't there and I just never," you know what I mean?

Deputy [REDACTED] From my knowledge, I believe it was similar to the same way on - on, uh, my detail as far as they're not gonna need these and puts 'em in his pocket.

Captain Miles: And you don't know - did he say exactly what kinda pills they were? Did he know?

Deputy [REDACTED] I don't recall. They were in a prescription bottles from - from what I...

Captain Miles: Probably took the bottle and everything.

Sgt. McGrory: Did [REDACTED] indicate how many may have been in there?

Deputy [REDACTED] No, no, he just - he advised me that he had had a similar incident occur after I told him about mine and...

Captain Miles: And those were the first times you ever - besides the time he's asked you to give him some of your dad's stuff that's - or mentioned that he got some of [REDACTED] stuff. That's the only time you know of - no other on duty?

Deputy [REDACTED] Nothing on duty. The - the only time that I was ever a witness to was the incident I already spoke of.

Sgt. McGrory: That - in the time at your house that was the only time you've seen him off-duty. I mean, that...

Deputy [REDACTED] Yes.

Sgt. McGrory: He's gotten 'em from you? That was just the one time?

Deputy [REDACTED] Yes.

Captain Miles: And that - and the one at your house is - was that your birthday party or somewhere...

Deputy [REDACTED] It...

Captain Miles: ...around your birthday?

Deputy [REDACTED] ...coulda been - it coulda been - it coulda been in March for my birthday or it coulda been for a sporting eve- we were watching some sporting event. I was having...

Captain Miles: Superbowl's in February so is it - it wasn't the Superbowl was it?

Deputy [REDACTED] I spoke to you on the Superbowl.

Captain Miles: Oh, was it?

Deputy [REDACTED] Yeah.

Captain Miles: Well, I know, yeah, we talked about...

Deputy [REDACTED] And I was in...

Captain Miles: ...something else.

Deputy [REDACTED] I was in Tahoe that weekend so...

Captain Miles: Okay. You know it wasn't there.

Deputy [REDACTED] It coulda been in January though.

Captain Miles: Yeah.

Sgt. McGrory: So, ever since January, you've had this - you've kinda been concerned about what - his lifestyle and what he's doing?

Deputy [REDACTED] After the incident at my house, I know (Don) is very close with Deputy [REDACTED] and I spoke with Deputy [REDACTED] about it and my concerns. And we both came to the conclusion, if you will, "Well, let's see what happens. If it happens again, we're definitely gonna talk to him." Um, you know...

Captain Miles: Since as far as, like, what if he gets intoxicated at a party, like, like he did?

Deputy [REDACTED] No.

Captain Miles: Is that what we're talkin' about here? We're not...

Deputy [REDACTED] No, we're talking about the prescription medication part of it.

Captain Miles: But what - what - what part? Like, him askin' for it and usin' it?

Deputy [REDACTED] Yes.

Captain Miles: But not - not about anything happened at work?

Deputy [REDACTED] Nothing that happened...

Captain Miles: Okay.

Deputy [REDACTED] ...at work.

Captain Miles: Was - was [REDACTED] at that party too then? The - the one where you guys had to drive him home?

Deputy [REDACTED] I don't believe so.

Captain Miles: Okay.

Sgt. McGrory: How was it the, uh, that he actually came across it or - or actually took the pill that night at your house - the time at your house?

Deputy [REDACTED] He had been complaining of, like, back pain or something to that effect. Um, and I had mentioned, like, "Yeah, I got, you know, some pain medication if you're that bad, you know?" Um, and I got up above my fridge where we keep all that stuff. And I had, uh, I was reading off - 'cause I was looking for, like, a - I had been prescribed - a muscle relaxer before which helps my back out a lot. And, uh, I was reading off the prescriptions. He's, like, "Oh, gimme one." I can't remember which one I gave him.

Captain Miles: Mm-hm.

Deputy [REDACTED] But he's, like, "Oh, gimme one of those." "All right, here you go, here's one."

Captain Miles: What were you taking for your back? Was it, like, Naproxen, or something like that or Flexeril or...

Deputy [REDACTED] Somethin' - it was the generic form of Flexeril.

Captain Miles: Okay.

Deputy [REDACTED] Um...

Sgt. McGrory: So, he only took the one that you know of? Was there...

Deputy [REDACTED] I just gave him one.

Sgt. McGrory: ...one, two...

Captain Miles: One and then drank his drinks?

Deputy [REDACTED] Only the one from what I know.

Captain Miles: Okay.

Sgt. McGrory: Any indication he may have gotten more or that you know of before you left that day?

Deputy [REDACTED] It's hard to say.

Sgt. McGrory: You have no reason to believe he did though?

Deputy [REDACTED] I have no reason to believe he did...

Captain Miles: Okay.

Deputy [REDACTED] ...though.

Captain Miles: Um, going back to the - the incident you were at. Um, you saw him pocket 'em. Did you ever check to see if they were evidence in the report afterwards or anything like that or did you...

Deputy [REDACTED] No, I didn't.

Captain Miles: You didn't? You assumed that they were just - he took 'em?

Deputy [REDACTED] I did assume.

Captain Miles: Okay. I'm - well, I'm, yeah, I'm just - I'm not saying that that's bad on your part. I just wondered if you'd actually checked to make sure if, you know, it was listed as evidence. But I - from what you told me, it doesn't sound like it woulda been but I also want to know if you als- checked any further. Just to see.

Deputy [REDACTED] I didn't, um...

Captain Miles: Oh, okay.

Deputy [REDACTED] Just the whole act itself bothered me and I got detailed to another call like right after that. So, I left the scene but...

Captain Miles: So, now, y- y- you're saying - who's on your shift? Who's all on your shift? There's obviously (Couch), [REDACTED]

Deputy [REDACTED] [REDACTED]

Captain Miles: [REDACTED]

Deputy [REDACTED] [REDACTED]

Captain Miles: Okay.

Deputy [REDACTED] [REDACTED]

Captain Miles: Okay.

Deputy [REDACTED] And...

Captain Miles: Gosh, I can't even spell [REDACTED]

Deputy [REDACTED] Nobody can and I worked with him for three years.

Captain Miles: So, there's, what, about five of ya?

Deputy [REDACTED] There's six of us plus a K9 and [REDACTED] our canine right now.

Captain Miles: Oh, [REDACTED] yeah. Ha- have you ever thought (Couch) when he's come to work's been 115 or under the influence of any s-

Deputy [REDACTED] No.

Captain Miles: Alcohol or drugs or prescription drugs?

Deputy [REDACTED] No, I never...

Captain Miles: No?

Deputy [REDACTED] ...never thought that.

Captain Miles: Okay. Did you ever get - consider getting any, uh, Sergeant involved in an

intervention?

Deputy [REDACTED]

I wanted to speak to him first to find out what he would have to say about it and if I didn't like what I heard, that was kinda my next step, if you will. Um, obviously, being, uh, the grunt, if you will, you try to do everything - handle everything in-house first. And then if that doesn't work, go. That was my intention.

Captain Miles:

Yeah. And I understand that but these are some pretty serious things and, you know, I know it's hard when you're close to somebody and they're your friend and you work out there on the streets with them. You're more than - you're really more than friends, you're brothers and I understand that but...

Deputy [REDACTED]

And, um...

Captain Miles:

S- you know, smart - the smart course would be for you to go to your Sergeant right away 'cause, you know, guy needs some help, he needs some help. He's got another kinda problem, then it's gotta be dealt with, you know? I understand all that. So, I mean, it's, regardless, I know you probably don't feel good about this right now. But, I - it's gonna be better than probably the consequences that, you know, it coulda got to if things go unchecked.

Sgt. McGrory:

Is there anybody else that you would know that has any inclinations or is rumored or talked about these issues?

Deputy [REDACTED]

The only people I've ever sp- I've only spoken to three people about it, uh, Deputy [REDACTED] obviously.

Captain Miles:

Mm-hm.

Deputy [REDACTED]

Deputy [REDACTED] and probably the one that got this rolling.

Sgt. McGrory:

Which is?

Deputy [REDACTED]

Deputy [REDACTED]

Sgt. McGrory:

We try not to leave any stones unturned.

Deputy [REDACTED]

Understandable.

Captain Miles:

And you gotta understand, it's a lot for a lot of people to hold, you know? I mean, I - I understand both sides of it. Like I said, and then that's why I told you, this is a fact-finding mission to find out what we have to do here. And I, um, appreciate you comin' in here being honest with th- with us

'cause I know it's hard. I can t- you know, I can tell plus I know it is hard to do that. But, um, it's definitely something's gotta be dealt with and, uh, you think anything else right now?

Sgt. McGrory:

Only for the stress that I know that you're gonna probably be feeling, try to beat yourself up over the next hours, days, weeks, whatever. Uh, just, you know, there's outlets for you in my department. There's (peer support team), people, they just - they - they - they are for ya. You just need somebody to talk to. You have your own peers, people that you trust. You have the (EAP) because it's bothering you but you know you did the right thing coming in here. And we're gonna do the right thing, um. Just don't let this eat you up.

Deputy [REDACTED]

I know that...

Sgt. McGrory:

It's important that you're able to come to work and continue functioning.

Captain Miles:

Yeah, I mean, I know y- a hard thing to come in here first thing off the shift and talk to IA. But I want your head straight going out to work, okay? 'Cause your safety out there is paramount - paramount. And I, you know, if you don't think you're, you know, can go out there and engage and be safe, let me know. You know, let your commander, let your Sergeant know so we can, you know, make sure you're not y- get, you know, get your head right before you go back out there. Also, I have to tell ya, basically order you not to talk about this to anybody, all right? 'Cause we are doing an investigation, um, and we're not gonna tell anybody outside our investigators. Of course, the Sheriff who I have to report to about this so. And then also, I'm telling you, you gotta keep it under your hat.

Sgt. McGrory:

We're trying our best to isolate you so people don't see you up here talking to us.

Captain Miles:

Yeah.

Sgt. McGrory:

And say we went outta our way to try to make sure nobody sees ya coming in here talking to us.

Captain Miles:

Or we coulda met you in Nevada and somebody would still know, "Ha, he's talked to IA." So, we can only do so much but...

Deputy [REDACTED]

No, I understand.

Sgt. McGrory:

But we - we need to be able to talk to other people without them having been - I don't wanna say corrupted but influenced on what other people

say.

Deputy [REDACTED] No...

Sgt. McGrory: That's the only way we get the absolute truth from people is if - if people don't talk amongst each other.

Deputy [REDACTED] I understand that.

Captain Miles: All right. All right, well, nothing else, we can conclude our interview here. It is now s- uh, 1823 hours. That's that and going off tape.

Witness interview of Deputy [REDACTED]

On Thursday, June 26, 2014, about 1856 hours, Captain Miles and Sergeant McGrory conducted an interview with Deputy [REDACTED]. The interview was conducted in reference to Internal Affairs case # 14-056, to which Deputy [REDACTED] was a witness. The interview was conducted at the Dublin City Hall Counsel's Chamber meeting room, 100 Civic Plaza, Dublin, CA.

The recording of this interview was subsequently sent to Net Transcripts to be transcribed. Once the transcription was transcribed, I listened to the recording and read the transcription to ensure its accuracy. There were a few corrections made and the following is a synopsis of the interview and an accurate transcription of the interview with Deputy [REDACTED].

Captain Miles began the interview by telling Deputy [REDACTED] they were there to speak to Deputy [REDACTED] about allegations being made against Deputy Couch, specifically prescription drug use. Deputy [REDACTED] stated he heard Deputy Couch was taking something for a "condition" Deputy Couch had awhile ago, but had no direct knowledge. Deputy [REDACTED] said he had spoken to a few deputies regarding Deputy Couch taking prescription drugs, "pain killers." Deputy [REDACTED] denied ever seeing Deputy Couch take any prescription pills.

Deputy [REDACTED] stated he had spoken to Deputy [REDACTED] about a detail on June 21, 2014, where Deputy Couch was present and prescription drugs were located. According to Deputy [REDACTED] Deputy Couch located a prescription bottle that contained prescription medication. When Deputy [REDACTED] asked Deputy Couch about the pills and charging the suspects who had been present, Deputy Couch told Deputy [REDACTED] "The pills were just going to disappear."

Deputy [REDACTED] stated the detail in question occurred on June 21, 2014, about 2200 hours, where deputies responded to the Extended Stay Hotel, Room 101, 4500 Dublin Boulevard, Dublin for a report of narcotics activity. That incident was documented under report D14-01849 by Deputy [REDACTED]. Upon arrival, Deputy [REDACTED] could smell marijuana emanating from room 101. Deputy [REDACTED] said the registered guest from room 101 was discovered to be on probation with a search clause.

Deputy [REDACTED] identified Deputy [REDACTED], Deputy [REDACTED], Deputy [REDACTED] and Deputy Couch as being present at the Extended Stay detail. Deputy [REDACTED] said Deputies [REDACTED] and [REDACTED] had to leave very soon after arriving. Deputy [REDACTED] and Deputy [REDACTED] had been dispatched to another detail requiring a quick response. Deputy [REDACTED] explained that three suspects in room 101 were arrested. In order to split the work, Deputy Couch, Deputy [REDACTED] and Deputy [REDACTED] each placed one of the suspects under arrest. Two of the individuals were arrested by Deputy Couch and Deputy [REDACTED] for being under the influence of a controlled substance. Deputy [REDACTED] arrested the third subject for being under the influence of a controlled substance and possession of drug paraphernalia.

Deputy [REDACTED] stated a methamphetamine pipe, three laptop computers, and a knife, had been removed from room 101 and placed into evidence at DPS. When asked about the pills, Deputy [REDACTED] said Deputy Couch found them in a bag which belonged to the suspect Deputy [REDACTED].

arrested. Deputy [REDACTED] believed the pills were "Norco" and thought there were multiple pills in the bottle because he heard someone shake the bottle. Deputy [REDACTED] claimed to not see who actually found the pills and at the time did not suspect anything unethical was going on.

Deputy [REDACTED] said he, Deputy [REDACTED] and Deputy Couch "Powwowed" to all get on the "same page" about what crimes they were arresting the three suspects for. Deputy [REDACTED] and Deputy Couch also left room 101 and stood in the hallway to discuss what charges would be appropriate. Deputy [REDACTED] recalled Deputy Couch making a statement that the pills were just going to disappear and no one would be criminally charged for possessing them. Deputy [REDACTED] said Deputy [REDACTED] remained in the room and no other deputies were present. Sergeant McGrory asked Deputy [REDACTED] what Deputy [REDACTED] interpretation was regarding the pills disappearing. Deputy [REDACTED] stated "Honestly, that he was gonna take em."

Investigators Note: It should be noted the three individuals were arrested for misdemeanor offenses. The one item, prescription pills, which could have been charged as a felony was not.

Deputy [REDACTED] said he spoke to Deputy [REDACTED] afterwards and they decided to confront Deputy Couch about putting them into a position that they were not comfortable with. Deputy [REDACTED] believed Deputy Couch was taking the prescription pills for his own use.

The interview concluded at 1915 hours.

TRANSCRIPT OF INTERVIEW WITH DEPUTY [REDACTED]

Captain Miles: Okay, I'm Captain (Kelly) Miles. With me is Sgt. (Robert) McGrory, Internal Affairs Unit. On today we'll be talking to a witness in a yet unnumbered case. We'll be talking to Deputy [REDACTED] Um, we're here at the Dublin City Hall Council's Chambers Meeting Room. It is currently – it's June 26, 2014 and it is 1856 hours. I take it you read – you read the witness form?

Deputy [REDACTED] I...

Captain Miles: Questions or anything?

Deputy [REDACTED] I did read it and no questions.

Captain Miles: Okay. Uh, long and short, we're here to talk to you, uh, about Deputy (Couch). And there's some, um, allegations that have come up and we think you might know a little something about things that might be going on with him. Um, and, um, and it's in regard to prescription drug use. Um, do you have any knowledge of Deputy (Couch) using prescription drugs?

Deputy [REDACTED] Uh, no not nec- necessarily. I've heard he was taking something for a condition he had a while ago, but it was just a real quick conversation. I kind of wasn't neither here or there. I – I think it came up a couple weeks ago. I don't really remember why. Um...

Captain Miles: Talking with him?

Deputy [REDACTED] No I – I don't even really remember the conversation all that much 'cause it was a really non-significant – um, I don't believe it was him. I don't remember where I heard it. Uh, it definitely not him, no. But I don't – I don't remember why or who exactly I heard that he was – I don't know if he had surgery or something a while back or if he'd had some sort of condition a while ago. But, uh...

Sgt. McGrory: J- j- just so you know, we did just finish talking to another deputy.

Deputy [REDACTED] Okay.

Sgt. McGrory: Who you may have recently had a conversation with regarding...

Deputy [REDACTED] Yeah.

Sgt. McGrory: ...Deputy (Couch) so.

Deputy [REDACTED] I mean like I said, I – I don't...

Captain Miles: Let's try this, let's try this. Has anybody expressed any concern to you about maybe Deputy (Couch) misusing prescription drugs?

Deputy [REDACTED] Yeah I've – I've – I've had a conversa- I – I don't have any direct knowledge of his use of prescription drugs. Uh, the c- the original conversation I – I'd had – like I said, I don't remember exactly what – what all it involved, but he – he was taking something for – which I don't even know what he was taking. Uh, for some sort of condition. Um, I'd talked to a couple partners recently who were – who were a little concerned about, um, his continued use of – of some prescription drugs. Um, I, you know, I – I'd heard he – he may have been taking, you know, things that weren't prescribed to him. I...

Captain Miles: Like what?

Deputy [REDACTED] I- I'm not a drug guy. I – I don't know, I don't – painkillers. I don't recall by name. Um, just – just painkillers, stuff like that. Um, you know, I – I've never seen him take anything. I, like I say, it was kind of, you know, an insignificant conversation when it first came up and I talked to a partner

last week that he – he expressed his concern that he may have been placed in an uncomfortable situation. Um, you know, I think we're all kind of concerned. I – I don't have direct knowledge of what happened on that incident, but, um...

Captain Miles: What – what kind of incident are we talking about? Something at work?

Deputy [REDACTED] It – well...I'm trying to rem- yeah it was – it was an incident at work. And I think this is – this was I believe where the original conversation came up, um, he – some- someone was arrested. Uh, I'm sorry, I'm trying to recall. It was a couple weeks ago and like I say, hadn't really thought too much about it until I talked to some of my partners over the weekend. Someone was arrested and there was a – a concern that he may have been taking prescription drugs and there were – there was some prescription drugs at the call. And I think he – he – one of my partners had mentioned that he was, you know, kind of trying to keep an eye on him because he was concerned that he – he didn't want him taking any of the – any of the prescription drugs from the scene. And, uh, one of my partners – but you know, he is pretty concerned about him abusing prescription drugs right now. And I mean like I said, I've never seen him take anything on duty. Um, I – I've – I've only been in Dublin and wo- been with this team, you know, less than a year. So I'm kind of the new guy at the – at the party. I haven't ri- necessarily been around long enough to really see changes in, you know, his demeanor, his attitude or anything like that. But, uh...

Sgt. McGrory: Did you have a conversation with one of your partners tonight about wanting to confront (Couch)?

Deputy [REDACTED] I talked to one of my partners last night about talking to him about, you know, pretty much what we've been discussing. He, you know, pretty much kind of like what I explained. He was – I think my partner was afraid he'd been possibly taking some prescription medications from the scene.

Captain Miles: What partner are we talking about?

Deputy [REDACTED] Deputy [REDACTED]

Captain Miles: Okay.

Deputy [REDACTED] Is that...

Captain Miles: Okay.

Deputy [REDACTED] Uh...

Sgt. McGrory: Okay.

Deputy [REDACTED] I'm sorry, go ahead.

Sgt. McGrory: Did you share with him a story of a time when you may have seen similar circumstance?

Deputy [REDACTED] Yeah. I – I talked to him over the weekend and, um...

Sgt. McGrory: Talked to who?

Deputy [REDACTED] I'm sorry, Deputy [REDACTED] I talked to Deputy [REDACTED] over the weekend. Uh, last Saturday, um, he arrived at one of my, uh, details and there was some...

Captain Miles: Who arrived at your detail?

Deputy [REDACTED] I'm sorry, oh I got to remember to try and...

Sgt. McGrory: Yeah.

Deputy [REDACTED] Um, la- last Saturday Deputy (Couch) arrived at one of my details. Um, where some prescription drugs were, uh, in the hotel room that we arrested, uh, three individuals at. Uh, we took the individuals to jail for, you know, various drug-related offenses and I – I had inquired about, you know, the – what's – “Are we taking dude for the prescription drugs? Are we, you know, what – what's, you know, we had kind of a laundry list of things that we could of thrown at these guys and, uh, like I say, I'm still pretty new to patrol and I'm not a huge drug guy. And I'd asked Deputy (Couch) where, you know, “Are we taking for this? Are we taking for this?” and one of the, uh, questions I'd asked was, “What are we doing with the pills?” and he just said we weren't taking for that, those are – I think his words were, “Those are going to disappear.” So.

Captain Miles: He told you they were going to disappear?

Deputy [REDACTED] Yeah.

Captain Miles: Or that's what you assumed?

Deputy [REDACTED] No he – he said that those were going to disappear.

Captain Miles: Okay.

Sgt. McGrory: Can we – we absolutely understand how difficult it is for you to sit where

you are right now, but understand, you just signed a form that said witness.

Deputy [REDACTED] Absolutely.

Sgt. McGrory: We're not interviewing as a subject.

Deputy [REDACTED] Yeah.

Sgt. McGrory: Not interviewing, uh, to suggest you've done anything wrong. And if we find out you have done anything wrong, even if you sit here and admit to what you've done anything wrong, uh, you're still a witness.

Deputy [REDACTED] Yeah.

Sgt. McGrory: Okay? Because we're asking these questions outside of representation, we're done administratively. We can't do anything to you administratively based on what you tell us here today.

Deputy [REDACTED] Okay.

Sgt. McGrory: So we're taking a chance by interviewing you without having representation.

Deputy [REDACTED] Yeah.

Sgt. McGrory: Taking a chance that you're going to be fully forthright.

Deputy [REDACTED] Yeah.

Sgt. McGrory: Take a deep breath. Relax. And understand we know the position you're in. We know the position we just put you in. Or that Deputy (Couch) put you in. Or whoever it is that you put you in this position...

Deputy [REDACTED] Yeah.

Sgt. McGrory: ...we understand the situation you're in.

Deputy [REDACTED] Okay.

Sgt. McGrory: You know me. We've worked together for years.

Deputy [REDACTED] Yeah man.

Sgt. McGrory: We're not here to try and jam anybody up. You know the type of person that I...

Deputy [REDACTED] (Unintelligible) yeah.

Sgt. McGrory: ...I'm certain you know who I am?

Deputy [REDACTED] Yeah.

Sgt. McGrory: Um, we just – we – we got to find out the facts.

Deputy [REDACTED] Yeah.

Sgt. McGrory: We gotta find out the truth. Take a deep breath. Slow down. Understand all we want is the facts.

Deputy [REDACTED] Yeah.

Sgt. McGrory: We already know probably 99% of the answers we're asking you questions of already.

Deputy [REDACTED] Okay. So...

Captain Miles: Where – where was this call at?

Deputy [REDACTED] It was at the Extended Stay hotel.

Captain Miles: Extended? Is that the one on Hacienda and...

Deputy [REDACTED] That...

Captain Miles: ...Dublin?

Deputy [REDACTED] Yeah, yeah. Close to it, yeah, 4500 Dublin Boulevard. Kind of on the other side of the – on the east side of the crossings.

Captain Miles: Yeah. All right. And that – about what time was that?

Deputy [REDACTED] I believe we went there about 10- 10:00 pm. Between 10:00 and 11:00.

Captain Miles: But were you the primary on that call?

Deputy [REDACTED] I was, yeah.

Captain Miles: Oh, so you wrote the primary report?

Deputy [REDACTED] I did.

Captain Miles: Okay. And you contacted – what – was it – was it a disturbance at the hotel or something and you guys...

Deputy [REDACTED] We – we responded to a report of a, um, H&S activity.

Captain Miles: Mm-hm.

Deputy [REDACTED] Coming from one of the hotel rooms. Um, I arrived and, you know, all the way down the hallway you could smell it. The RP had told us flat out it's co- it's coming from this room, room 101. So...

Captain Miles: Smell what?

Deputy [REDACTED] Uh, marijuana.

Captain Miles: Marijuana?

Deputy [REDACTED] Yeah. So, uh, I get to the hotel room and they open the door and it's, you know, real thi- I mean it...

Captain Miles: Okay.

Deputy [REDACTED] ...no question. So we detain everyone inside. Uh, prior to going in we – I ran out the, uh, the person who rented the room. So I'd already known going in that he was on a sam seven. So, you know, pretty much we were going to go into that room and pretty much own it. Uh, we went in, uh, number of partners, Deputy [REDACTED] uh, Deputy [REDACTED] and Deputy [REDACTED] came in. Um, [REDACTED] and [REDACTED] had to break, uh, pretty quick after they got there for another detail. But (Couch) was also there. And, uh, we pretty much, you know, rather than me stating three arrest, I kind of spread the – the wealth amongst [REDACTED] and (Couch). And (Couch) took one person for being under the influence of a controlled substance. Deputy, uh, [REDACTED] took another for the same thing. And I took the guy who we'd originally gone there for. For, uh, under the influence and, uh, just drug paraphernalia.

Captain Miles: Do you remember exactly what kind of evidence you got out of that call?

Deputy [REDACTED] We took, uh, while searching the – the gentleman's name who rented the room is, uh, last name was, uh, [REDACTED] While searching, uh, some of his property we found a – a meth pipe inside one of his bags. Uh, so we took that as a, you know, we got that on him for the 11364.

Captain Miles: Mm-hm.

Deputy [REDACTED]

And, uh, balanced him out. Took that for, uh, 11-5 and that was all I took for my guy. I, uh, we did take three laptops as property under observation. Uh, and that's – that's all that I know of just the – oh we – we did take a knife, um, as evidence. 'Cause we were under the impression that we were going to also get him for the – the switchblade section. And, uh, as I was at the jail we kind of looked at it a little bit more and decided we didn't have – he wasn't carrying it. He just kind of had it stashed in a bag, so the – I think it's like 22-810 or something like that, didn't apply. But it's still in evidence, so we did take the knife. So long story short, three laptops property under observation. Um, the meth pipe and knife.

Captain Miles:

Okay. So these pills that, um, um, (Couch) found them?

Deputy [REDACTED]

Mm-hm. Uh, yes I believe he did.

Captain Miles:

Where did he find them?

Deputy [REDACTED]

They were in the bag of, uh, uh, my [REDACTED] guy. In one of his bags. I don't know, he – I – I was searching another bag kind of in the closet of the hotel room. Uh, with my back to them and then I heard somebody ask, you know, "Hey, what's up with these pills?" I kind of turned around and they were handling it so I went back to doing what I was doing.

Captain Miles:

What were the pills, do you know?

Deputy [REDACTED]

I want to say I thought I heard at some point they were (Norco) or Nar-(Norco) does that...

Captain Miles:

(Norco)?

Deputy [REDACTED]

Yeah.

Captain Miles:

Do you know how many there were?

Deputy [REDACTED]

I have no idea. Didn't look inside the bottle. They're more than one when they – I heard – I don't remember if it was [REDACTED] who shook it or (Couch) who shook it. Um, you know, there – there were multiple pills in there. I couldn't tell you exactly.

Captain Miles:

And did you see what (Couch) did with them?

Deputy [REDACTED]

I did not, un-uh. Like I said, they were pretty much – I had my back to them while I was in the closet searching one of their bags. Uh, when someone brought up the pills, I kind of just turned my back and looked for

a second and they were handling it. I didn't have any reason to think anything, you know, illegal or – or unethical was going on, so I kind of just went back to searching the bag that I had in the closet.

Captain Miles: Okay. Um, did you talk to anybody else about the – the narcotics or anything?

Deputy [REDACTED] I di...

Captain Miles: Or the pills?

Deputy [REDACTED] Just Deputy [REDACTED] and I had a conversation over the weekend where...

Captain Miles: Okay. But I mean at the scene at the time? Or after the call? Or...

Deputy [REDACTED] Oh no, un-uh. Mm-mm.

Captain Miles: Uh, do you know for (unintelligible)...

((Crosstalk))

Captain Miles: ... [REDACTED] knew about the pills?

Deputy [REDACTED] I couldn't say if he did or not. I – I know he was aware of them because he was – he was there when (Couch) found them. Uh, we'd all kind of pow-wowed and got together kind of huddled up and said, "Hey, okay so this is what we got." Where – just kind of we all got on the same page. We're going to take number one for this. We're going to take number two for that. We're going to take number three for that. And it was just kind of a, um, just a little huddle up session and Deputy (Couch) and I went outside just the outside of the hotel room just the two of us to, uh, kind of discuss what our options were in terms of what charges we would be throwing at these guys. And that's when, uh, he made the statement that the pills were going to disappear. We weren't taking anybody for that.

Sgt. McGrory: What did you interpret as the pills were going to disappear?

Deputy [REDACTED] Well, honestly, um, you know, he was going to – he was going to take them.

Sgt. McGrory: Okay. Up to – at – at that time you already had some suspicions that he had been abusing prescription drugs?

Deputy [REDACTED] Yeah. Yeah. So when – yeah, when – when he said that it was kind of a – I talked to Deputy [REDACTED] because he – he had brought his incident to my

attention. It was kind of just like, well, you know, we – we discussed it a little bit and then when that second occurrence at – on my detail occurred, um, Deputy [REDACTED] you know, we actually had both took our families up and went camping over the weekend so we were, you know, kind of sitting around talking about it and then pretty much decided, “Hey, we need to go,” we were actually going to go talk to (Couch) tonight and say, “Dude, you know, you need to – I’m not going to preach to you, but you’re going to do what you’re going to do. If – if you do it in front of us, then you’re putting us in a position where you’re going to force our hand.” You know, straight – you know, just try to not get – knock it out of him a little bit. You know, he’s – he’s going to do what he’s going to do. But he was starting to put us in a position where we di- we didn’t want to be in. So we were – we weren’t really comfortable letting it go on for any longer. We were going to talk to him today about it.

Captain Miles:

So you weren’t 100% sure he’s going to keep ‘em?

Deputy [REDACTED]

That – that’s what I wanted to – I – I was aware of – of – of one prior incident within the last month or two. Um, he made the statement and it was kind of – that was how I interpreted it. I – I didn’t see him take ‘em. Um, but, you know, I interpreted it as he – he was going to – it, you know, take some of them.

Captain Miles:

You were a little thinking of that in the back of your head?

Deputy [REDACTED]

Yeah as we – he said that it was kind of just like, you know, it – not – not a good – not what I wanted to hear.

Captain Miles:

No.

Deputy [REDACTED]

You know.

Captain Miles:

I mean that’s illegal.

Sgt. McGrory:

You ever see any similar behavior like that in the past?

Deputy [REDACTED]

I haven’t, un-uh. Like I said, um, he works on the west side of town. I’m particular on the east. Very – very rarely, um, are we on a – on a call together. Um, to be honest, I don’t even know why – I think the only reason he came last week, uh, was because, uh, you know, two of us got detailed to the call. Uh, there were five occupants in the room, so pretty much every available just kind of started rolling in. I think that’s pretty much the only reason he came but we – we really don’t – being on opposite ends of the town, we – we – I don’t work beside him very often.

Sgt. McGrory: Is there anybody else you think we should talk to that may have...

Deputy [REDACTED] Obviously you've talked to [REDACTED] Um, I mean definitely, you know, his beat partners might – might have a lot more, um, uh, Deputy [REDACTED] might – might have some more, um, insight into, you know, he's been here in Dublin a little bit longer. He's – he's on that side of town with him. Uh, you know, he may be able to provide a little bit more insight for you guys to, you know, what – what Deputy (Couch) has been doing. Um...

Sgt. McGrory: You mentioned [REDACTED] does he work on C Team regularly?

Deputy [REDACTED] No he's – he's a D Team guy. He actually did a watch exchange that night. I'd spoken of, um, for Deputy [REDACTED]

Sgt. McGrory: Okay.

Deputy [REDACTED] So, uh...

Sgt. McGrory: Was he in the room as this was going – occurring?

Deputy [REDACTED] At that point I don't believe he was in the room. Like I say, him and Deputy [REDACTED] had to break kind of early for a – another detail on the other side of town, but um, and I – I can tell you with certainty when I had my discussion where – with Deputy (Couch) where he said that the pills were going to disappear, um, they weren't there. Uh, that was a conversation that (Couch) and I had outside the room just two of us.

Sgt. McGrory: [REDACTED] wasn't there when that...

Deputy [REDACTED] When we were...

Sgt. McGrory: ...was said?

Deputy [REDACTED] No, he was still inside the room. Kind of keeping the eye on everyone inside. And that was – that was kind of when (Couch) and I were outside saying, "Hey, you know, okay this is what we got. This is what we're thinking of charging him, what do you think?" Kind of just a little pow-wow outside the room. So that was just...

Sgt. McGrory: He...

Deputy [REDACTED] ...uh, Deputy (Couch) and I.

Sgt. McGrory: Did you ever see him do anything with the pills? Did he put them in his pockets or...

Deputy [REDACTED] I never did, un-uh.

Sgt. McGrory: All right.

Deputy [REDACTED] The only – the only time I physically saw the pills was when I first heard them taken out of the bag and they were kind of questioning the [REDACTED] guy, “Hey, what’s up with this?” And like I said, I just kind of peeked around for just a second and saw they handled it and I had a big old duffle bag full of junk that I was dealing with. So I just, you know, kind of, you know, I didn’t have any reason to think anything was really, you know, going on so I, you know, directed my attention back to the bad guy I was searching that was full of garbage and had my full attention.

Captain Miles: Okay. Anything else you can think of?

Deputy [REDACTED] Not that I can think of.

Captain Miles: (Unintelligible). All right. Well it is now 1915 hours and we’re concluding this interview.

Witness interview of Deputy [REDACTED]

On Thursday, July 3, 2014, about 1719 hours, Sergeant McGrory and I conducted an interview with Deputy [REDACTED]. The interview was conducted in reference to Internal Affairs case # 14-056, to which Deputy [REDACTED] was a witness. The interview was conducted at the Dublin Police Service's conference room, 100 Civic Plaza, Dublin, CA.

The recording of this interview was subsequently sent to Net Transcripts to be transcribed. Once the transcription was transcribed, I listened to the recording and read the transcription to ensure its accuracy. There were a few corrections made and the following is a synopsis of the interview and an accurate transcription of the interview with Deputy [REDACTED].

I asked Deputy [REDACTED] if he was present at the Extended Stay Hotel on June 21, 2014 and if so to tell me what occurred while Deputy [REDACTED] was present. Deputy [REDACTED] stated Deputy [REDACTED] and Deputy [REDACTED] were detailed to the Extended Stay for narcotics activity. Deputy [REDACTED] also recalled Deputy Couch responding to the detail. Deputy [REDACTED] and Deputy [REDACTED] responded to provide cover.

Deputy [REDACTED] said he and Deputy [REDACTED] were the last deputies to arrive at the Extended Stay. Deputy [REDACTED] saw Deputies [REDACTED], Couch, and [REDACTED] searching the room. Deputy [REDACTED] and Deputy [REDACTED] remained on scene for a few minutes before being detailed to another call. While present at the Extended Stay in room 101, Deputy [REDACTED] saw the suspects sitting in various locations within the room. Deputy Couch was searching bags in a closet, Deputy [REDACTED] was searching a bag, and Deputy [REDACTED] was searching a bag. Deputy [REDACTED] recalled someone saying they found identification and a methamphetamine pipe. Deputy [REDACTED] denied having any conversations with any other deputies regarding the Extended Stay detail.

I asked Deputy [REDACTED] to discuss the Cottonwood Apartment detail. Deputy [REDACTED] stated he was detailed to the Cottonwood Apartments for a burglary in progress call. The burglary was reported to be occurring in a storage shed on the property of the apartment complex. Deputy [REDACTED] stated he responded with Sergeant [REDACTED] and Deputy [REDACTED]. During a search of the area, three subjects were located and detained inside a storage shed. After announcing over the radio that three subjects were detained, Deputy Couch and Deputy [REDACTED] responded to assist.

Deputy [REDACTED] explained the suspects were moved to the outside of the storage shed and onto the curb, which was on the opposite side of the entry door. Neither Deputy [REDACTED] nor any of the suspects could see inside. While Deputy [REDACTED] safeguarded the suspects, Deputy Couch and Deputy [REDACTED] searched the interior of the storage shed. After searching the storage shed, Deputy Couch and Deputy [REDACTED] returned to Deputy [REDACTED] with what had been found. Deputy [REDACTED] was allowed to review his original report, D14-01825, to refresh his recollection on what evidence had been recovered. After doing so, Deputy [REDACTED] stated, four syringes and a small baggie of a white powdery substance were found in a pouch recovered by Deputy Couch from inside the shed. Deputy [REDACTED] stated he saw Deputy Couch handling the evidence and did not recall seeing any pills. Deputy [REDACTED] said Deputy Couch placed the

located items on the trunk of Deputy Couch's patrol car. According to Deputy [REDACTED] Deputy Couch later placed the recovered items into evidence. Deputy [REDACTED] stated Sergeant [REDACTED] was present and "looked over" the evidence. Deputy [REDACTED] was asked a second time if he recalled seeing any pills. Deputy [REDACTED] stated he did not remember any pills and probably would remember if there had been. Deputy [REDACTED] denied speaking to anyone about pills being found while at the Cottonwood Apartments.

Investigators Note: According to Deputy Couch's supplemental report, Deputy Couch located a red pouch containing 4 syringes and a clear plastic baggie containing an off white crystal like substance, which tested affirmative for the presence of methamphetamine and weighted .27 grams. Deputy Couch also located a methamphetamine pipe near the red pouch.

Deputy [REDACTED] stated there was nobody else on the department that he is closer to than Deputy Couch, professionally and personally. I asked Deputy [REDACTED] if anyone had ever came to him expressing concerns about Deputy Couch. Deputy [REDACTED] stated "Yeah, Deputy [REDACTED] came to me probably two or three months ago." Deputy [REDACTED] told Deputy [REDACTED] that Deputy [REDACTED] believed Deputy Couch may be addicted to prescription pills. Deputy [REDACTED] stated Deputy [REDACTED] told him about the incident at Deputy [REDACTED] residence when Deputy Couch asked for a prescription pill, while Deputy Couch was drinking alcohol. Deputy [REDACTED] thought the pill was a Vicodin and taken for recreational use. During their conversation, Deputy [REDACTED] told Deputy [REDACTED] to bring it to Deputy Couch's attention if Deputy [REDACTED] was concerned about Deputy Couch having an addiction problem. Deputy [REDACTED] stated he did not witness anything himself that would lead Deputy [REDACTED] to believe Deputy Couch had an addiction problem.

The only time Deputy [REDACTED] spoke to Deputy Couch about an addiction problem was after this investigation began. After being placed on administrative leave, Deputy Couch contacted Deputy [REDACTED] several times by telephone. During their telephone conversations, Deputy Couch denied being addicted to pain pills.

The interview concluded at 1752 hours.

TRANSCRIPT OF INTERVIEW WITH DEPUTY [REDACTED]

Sgt. Baer: Okay, um, it is July 3rd, 2014; it's 1719 hours. I'm Sergeant Baer with the Alameda County Sheriff's Office Internal Affairs Office, um, here at the Dublin Police Services conference room, uh, with Sergeant Robert McGrory and present also is Deputy [REDACTED] correct?

Deputy [REDACTED] Correct.

Sgt. Baer: Okay. Um, and this is in re- ref- reference to Internal Affairs Case 14-056. Uh, what's your current assignment, Deputy [REDACTED]?

Deputy [REDACTED] It's, uh, Patrol.

Sgt. Baer: And what team are you on?

Deputy [REDACTED] I'm C Team.

Sgt. Baer: How long you been on C Team?

Deputy [REDACTED] I've been on C Team for a year and, uh, almost a year and a half.

Sgt. Baer: Okay. And how long you been on the department?

Deputy [REDACTED] Been on the, uh, department almost 10 years.

Sgt. Baer: Ten years? And wh- what kind of training do you have?

Deputy [REDACTED] Um, the basic training everyone gets.

Sgt. Baer: I see you have a white, uh, light on your...

Deputy [REDACTED] Yeah, uh...

Sgt. Baer: ...collar there.

Deputy [REDACTED] ...uh, I trained in - in DAR, advanced DAR, um, FTO, obviously, uh, Jail Training Officer at Santa Rita, uh - uh...

Sgt. Baer: So, maybe a little more training than the average deputy?

Deputy [REDACTED] Yeah, I would say so.

Sgt. Baer: Good.

Deputy [REDACTED] Uh-huh.

Sgt. Baer: Uh, so, there's a couple of incidents we wanna talk about specifically; one, I'm not sure if you were there or not, uh, on June 21st, uh, of this year at the extended stay here in Dublin, uh, Deputy [REDACTED] and Deputy [REDACTED] ...

Deputy [REDACTED] Yeah.

Sgt. Baer: ...detailed there?

Deputy [REDACTED] Yes.

Sgt. Baer: Were you there that night?

Deputy [REDACTED] Uh, the 21st I was there - that was just last week?

Sgt. McGrory: Yeah.

Sgt. Baer: Yeah.

Deputy [REDACTED] I was there - I was there briefly, yes.

Sgt. Baer: Tell us about that.

Deputy [REDACTED] Uh, they get detailed to, uh - well, I think it was [REDACTED] and - [REDACTED] and [REDACTED] as the cover, um, get detailed to, uh, the Extended Stay for H&S actually.

Sgt. Baer: Uh-huh.

Deputy [REDACTED] Uh, so they're smoking marijuana, I think, uh, is - is how I - I took it. Um, uh, they get there, Deputy (Couch), uh, attaches himself, uh, and they go off with, uh, I think 5 - 5 occupants.

Sgt. Baer: Uh-huh.

Deputy [REDACTED] They say they're off - they're code 4 off with 5. So, uh, to even the odds I think people started attachin' themselves. Uh, I attached myself, um, along with Deputy [REDACTED]

Sgt. Baer: Uh-huh.

Deputy [REDACTED] Deputy [REDACTED] attached himself. Um, but, Deputy [REDACTED] and I were the last ones to get there. By the time we got there, uh, Deputy (Couch), Deputy [REDACTED] and Deputy [REDACTED] were already searching, uh, searching the, uh, apartment. 'Cause I think two of them were - not the apartment, the room because they were on Sam 7.

Sgt. Baer: Uh-huh.

Deputy [REDACTED] I think two of them were on Sam 7. Um, we get there, uh, and we're there, uh, probably for a couple minutes and we get detailed to, uh, another hot call, um...

Sgt. Baer: Well...

Deputy [REDACTED] ...where there was a lady screaming for help.

Sgt. Baer: Okay.

Deputy [REDACTED] Uh, come in from the apartments over off of Demarcus. Deputy [REDACTED] and I take off. Uh, and that was it.

Sgt. Baer: When you were - did you enter the room? Were you in the room at all?

Deputy [REDACTED] at? Oh, yeah, I - so - yeah, I mean, do you want details of where everyone was

Sgt. Baer: Yeah.

Deputy [REDACTED] Okay. Um, there was - so, I think there was two beds, two suspects were - uh, there was a male and female, uh, sitting down on the far left bed and there was, I believe, one - I think there was a female on the right and then there was two people sitting down; I think a male and a female...

Sgt. Baer: Uh-huh.

Deputy [REDACTED] ...if I remember correctly. Uh, Deputy (Couch), um, was searchin', I think, bags in a closet. Deputy, uh, [REDACTED] was, I think, also searchin' a bag, um, and [REDACTED] may have been searchin' a bag. Uh, [REDACTED] and I walk in, um, and I think maybe Deputy [REDACTED] starts to search - he searches one of the suspects purse.

Sgt. Baer: Uh-huh.

Deputy [REDACTED] Um, and I don't - I don't search anything. I'm just watchin' all the suspects, standing at the door watching our 6 making sure no one enters the room.

Sgt. Baer: Uh-huh.

Deputy [REDACTED] Um, but, I'm just watching everything then.

Sgt. Baer: Were you present when they started finding evidence?

Deputy [REDACTED] Um, I think I heard, uh - I - I forget who, someone said, um, I think we found and ID - well, we found an ID with - with one of the males on the bed...

Sgt. Baer: Uh-huh.

Deputy [REDACTED] ...and they said, um, well who, uh - you know, funny how we found this ID with this bag with, um, a meth pipe in it or somethin' like that.

Sgt. Baer: And you don't remember who said that?

Deputy [REDACTED] I don't remember who said that.

Sgt. Baer: Do you remember who was searchin' the black bag?

Deputy [REDACTED] I don't know.

((Crosstalk))

Deputy [REDACTED] I don't remember specific details on which bags...

Sgt. Baer: Uh-huh.

Deputy [REDACTED] ...were being searched. I don't know who had which bag. And that's the God's honest truth.

Sgt. Baer: Uh-huh. Um, did anybody have a conversation with you later that night about the evidence from that detail?

Deputy [REDACTED] No. No one had a conversation.

Sgt. Baer: Or since that night?

Deputy [REDACTED] No.

Sgt. Baer: Um, you have any questions about that night?

Sgt. McGrory: Do you remember anybody saying they found a knife?

Deputy [REDACTED] Uh, no.

Sgt. McGrory: A pill bottle?

Deputy [REDACTED] Nope.

Sgt. McGrory: Um...

Sgt. Baer: Did you hear a pill bottle sha- being shaken?

Deputy [REDACTED] No. No. Uh, honestly we - we weren't in there for that long. Uh, we

walked in there and it was - it was pretty brief. I wanna say...

Sgt. Baer: What was brief?

Deputy [REDACTED] ...maybe 2 - 2 minutes...

Sgt. Baer: Uh-huh.

Deputy [REDACTED] ...at the most. Maybe - maybe even, I don't know, maybe 5 minutes.

Sgt. Baer: How long were they there before you guys got 10-97?

Deputy [REDACTED] Oh...

Sgt. Baer: The other deputies?

Deputy [REDACTED] ...they were probably in there for maybe 10 minutes - 15 minutes before we even got - we even attached ourselves. Um, 'cause I think everyone was dealing with other calls. By the...

Sgt. Baer: Uh-huh.

Deputy [REDACTED] We knew what was goin' on and by the time we cleared we - we automatically - I think we automatically knew to attach ourselves because there was five people.

Sgt. Baer: So, you were on another detail when that one came out?

Deputy [REDACTED] I believe so, yeah.

Sgt. Baer: Okay. Uh-huh. So, you had...

Deputy [REDACTED] And I...

Sgt. Baer: ...to finish that and then head over there?

Deputy [REDACTED] Right. And then, uh, [REDACTED] was, I think he was on a - a vehicle accident, um.

Sgt. Baer: You said you're an FTO?

Deputy [REDACTED] No, I'm not an FTO.

Sgt. Baer: Oh.

Deputy [REDACTED] I was JTO in Santa Rita.

Sgt. Baer: Oh, okay, JTO.

Deputy [REDACTED] Yeah, uh-huh.

Sgt. Baer: Did anybody have a trainee with them or anything? Any FTO's there?

Deputy [REDACTED] No one had a trainee, no.

Sgt. Baer: Uh-huh.

Deputy [REDACTED] No, I don't - I don't - we don't have any FTO's on - on C Team anymore, so.

Sgt. Baer: Okay.

Sgt. McGrory: Yeah, we knew - we knew that - everybody told us you were there for a brief time, so.

Deputy [REDACTED] Yeah.

Sgt. Baer: Okay. You have any more questions of him?

Sgt. Baer: Alright, the next, uh, incident we wanna talk to you about is actually one of your reports that, uh, you wrote. It occurred (unintelligible) - it occurred on June 20th, so the day before on Cottonwood Circle, [REDACTED] Cottonwood Circle.

Deputy [REDACTED] Yes.

Sgt. Baer: Tell us about that.

Deputy [REDACTED] Um, so, we get - we get detailed to, uh - we get detailed to, uh, I think 3 people, um, burglarizing a storage unit. That's...

Sgt. Baer: Uh-huh.

Deputy [REDACTED] ...is that the correct one?

Sgt. Baer: Yeah.

Deputy [REDACTED] Correct? Okay. Um, there was a report of a bur- a possible burglary in progress.

Sgt. Baer: Uh-huh.

Deputy [REDACTED] Um, and the storage unit, um, the storage units are kind of weird 'cause they're lined up across, uh, the apartments, across the parking lot. Um, so, they're kinda - they're separate from the apartments. Um, we - I think Deputy (Couch) and Deputy - or Sergeant, um, [REDACTED] stage themselves on (Dougherty)...

Sgt. Baer: Uh-huh.

Deputy [REDACTED] ...south end of, uh - actually the east end of (Dougherty), um, against the wall right there just in case they hop over. Um, Deputy [REDACTED] and I park on ABB, um, closer to (Dougherty) and, uh, I ask - I actually ask - 'cause I think [REDACTED] was with [REDACTED] I ask him to 98 me at that location w- we would walk it in. Um, so, they - for - once [REDACTED] gets there we walk it in. We - [REDACTED] and I walk - walk in, um, and, uh, the first storage units that we come to we come around the corner and, uh, we see - we s- I see a door open and so I tell [REDACTED] "Hey, uh, there's a door open." We - we walk to the door, um, and, uh, we open the door and we find the three subjects, I guess, that we were lookin' for. Um, they were the only three there. And, uh, it looked like they were, um, they were, uh, living out of the...

Sgt. Baer: Uh-huh.

Deputy [REDACTED] ...the storage unit. And - you want me to keep on goin'?

Sgt. Baer: Yeah. Yeah.

Deputy [REDACTED] Okay.

Sgt. Baer: Yeah. Uh, there's more that happened, right?

Deputy [REDACTED] Right, yeah.

Sgt. Baer: Okay.

Deputy [REDACTED] The, uh...

Sgt. Baer: That's what - we don't want the middle of the story, we want...

Deputy [REDACTED] So, we...

Sgt. Baer: ...the whole story.

Deputy [REDACTED] ...we take all three out, um, and with the assistance of, uh, of everyone on-scene, um...

Sgt. Baer: Who's' everyone on scene?

Deputy [REDACTED] Uh, the same people that I said. So, [REDACTED] and I start w- I immediately detain the first person at the, uh, door and I believe he lives there or he may have li- he lived there with his dad...

Sgt. Baer: Uh-huh.

Deputy [REDACTED] ...at one time. Um, not in the storage unit, but...

Sgt. Baer: Yeah.

Deputy [REDACTED] ...but in the apartments. Um, I immediately detain him. We have two other subjects in there. Um, I advise radio, um, which everyone else can hear, uh, and everyone starts headin' to my location.

Sgt. Baer: Uh-huh.

Deputy [REDACTED] Um, (Couch) arrives, um, and he - he assists us in detaining everyone.

Sgt. Baer: Uh-huh.

Deputy [REDACTED] Um, we detain, uh, the other two, um, and while we pull all three of them out on the curb, um, I start balancin' out one of the guys and (Couch) and [REDACTED] start search - they go back in the, uh, storage unit and start searching the - the storage unit.

Sgt. Baer: And can you see them in the storage unit?

Deputy [REDACTED] I don't see them. I'm - I'm - so, I - I wish I could draw this, but, um, say this is the, uh - say this is the storage - the storage unit, um, there on the - so, this is the storage unit, the stor- the storage units like right there. Um, and the - there's a curb right here.

Sgt. Baer: Uh-huh.

Deputy [REDACTED] I pull - I'm sitting out here with all three subjects on the curb, um, while Deputy [REDACTED] and Deputy (Couch) go in the storage unit and search. Um, they - while I'm balancin' out, um, the first dude that I pulled out, uh, they - they come back and tell me about their discovery.

Sgt. Baer: Who?

Sgt. McGrory: Let - let - let me back this up, just - just for description purposes.

Deputy [REDACTED] Yes.

Sgt. McGrory: So, they were inside the storage shed and where you were was actually on the outside of the storage shed behind the storage shed pretty much?

Deputy [REDACTED] Well, it - it depends how you look at it. Um, I guess, yeah, it - all the doors are facing out this way. So, uh, this would be the front of the storage. But, there's a - a re- there's a sound wall right here, um, and I'm sitting on the curb, apartments are over here.

Sgt. McGrory: On the opposite side of the storage shed from where the entrance was...

Deputy [REDACTED] Right.

Sgt. McGrory: ...on the backside of this?

Deputy [REDACTED] Yeah.

Sgt. McGrory: You couldn't - you - you...

Deputy [REDACTED] I - I ...

Sgt. McGrory: If there was a door on the back side of the storage shed you'd look in?

Deputy [REDACTED] Yes.

Sgt. McGrory: Okay.

Deputy [REDACTED] Yeah. I - I co- there's nothing over here on this side.

Sgt. McGrory: Alright.

Deputy [REDACTED] So, I - I can't see anything that's goin' on.

Sgt. McGrory: So, you took all three subjects out there. So, you're dealing with one on three out there then?

Deputy [REDACTED] One on three. Yeah, everyone's - my guys handcuffed though and these two are sitting on the curb.

Sgt. McGrory: Okay.

Deputy [REDACTED] Um, and I wanna say maybe - oh, yeah, Sergeant [REDACTED] had - had arrived there too. So, I wasn't completely by myself.

Sgt. McGrory: He was where you were?

Deputy [REDACTED] He was with me...

Sgt. McGrory: Okay.

Deputy [REDACTED] ...in - in the front.

Sgt. McGrory: So, he couldn't see what was goin' on inside the storage shed either?

Deputy [REDACTED] No.

Sgt. McGrory: Okay.

Deputy [REDACTED] So, Deputy [REDACTED] Deputy (Couch) are in the storage unit, they search, they tell me about their findings. Um, they find, uh, um, they find, uh, I guess, a little black pouch with - and to be honest with you I don't know how found what, um...

Sgt. Baer: Uh-huh.

Deputy [REDACTED] ...uh, I just know that they - they found, um...

Sgt. Baer: Who was holding it?

Deputy [REDACTED] Uh, I - I think (Couch) was holding it.

Sgt. McGrory: Was Deputy [REDACTED] also there?

Sgt. Baer: A few minutes ago you said [REDACTED] and...

Deputy [REDACTED] Yeah. Yeah, you're...

Sgt. Baer: ...and (Couch) searched the...

Deputy [REDACTED] [REDACTED] was there. [REDACTED] was there. I think he - he showed up a little bit later.

Sgt. McGrory: So repeat who's inside doing what.

Deputy [REDACTED] Um, as far as I can recall it's Deputy [REDACTED] and Deputy (Couch) in there searching.

Sgt. Baer: Okay.

Deputy [REDACTED] Um, I don't know, maybe, [REDACTED] had - had, uh - I'm paying attention to my guy and - and the two suspects. So, I'm not...

Sgt. Baer: Maybe...

Deputy [REDACTED] ...payin' attention to what...

Sgt. Baer: ...just to refresh your memory, the - one of the supplemental reports said "Deputy [REDACTED] requested I", and this is Deputy (Couches) supplement report "assist Deputy [REDACTED] with the probable cause search of storage unit 23."

Deputy [REDACTED] Yes.

Sgt. Baer: So, does that refresh your recollection?

Deputy [REDACTED] Yes. And - and that...

Sgt. Baer: So, was [REDACTED] there or not?

Deputy [REDACTED] Uh, I don't remember if [REDACTED] was there. Honest - honestly I don't remember, uh, if he was there. Uh, if he did, he showed up late.

Sgt. McGrory: Okay.

Deputy [REDACTED] Uh-huh, yeah.

Sgt. McGrory: Alright.

Deputy [REDACTED] Uh, but, I don't think he was - uh, I - to be honest with you, I don't remember, uh, what [REDACTED] was doing. I remember that (Couch) and [REDACTED] were in the, uh, storage unit searching it. They - and then they find whatever they found- they found. They find there, uh, um - I believe they found a meth pipe, um, they found...

Sgt. McGrory: You - you - you're more than welcome to review the report if - if - if you...

Deputy [REDACTED] Okay.

Sgt. McGrory: ...wanna refresh your memory. Uh, I (unintelligible)...

Deputy [REDACTED] I just...

Sgt. McGrory: ...that at all.

Deputy [REDACTED] ...wanna - just the evidence part - portion of it.

Sgt. McGrory: Yeah, uh, no, it's fine.

Sgt. Baer: This paragraph here.

Deputy [REDACTED] I think this is (Couch's), uh, supplemental.

Sgt. Baer: What page number is that?

Deputy [REDACTED] This is page 11. Um, so mine would be forward, maybe like...

Sgt. Baer: Yeah, hold on.

Deputy [REDACTED] Mine's Hayward style, so you'd be able to tell the difference between my report and his.

Sgt. Baer: I just read it, so just give me a sec.

Deputy [REDACTED] Okay, I see it.

Sgt. Baer: There you go, there.

Deputy [REDACTED] Uh, so, there was a - there was, um - I - I knew about the syringes. It was - there was a little black pouch with four syringes and a little baggie of m-meth, um, a use - barely a usable amount. Uh, can I see that, the page 8, Sarge?

Sgt. Baer: Uh-huh.

Deputy [REDACTED] I guess that was it.

Sgt. McGrory: So, the - the pouch with - what was in the pouch when you saw it?

Deputy [REDACTED] What was in the pouch? It was a white powdery substance.

Sgt. McGrory: And syringes? One, two, how many syringes?

Deputy [REDACTED] Four syringes.

Sgt. McGrory: Four syringes, a white powdery substance, anything else?

Deputy [REDACTED] Uh, nothin' that I can recall. I mean, uh...

Sgt. McGrory: Were any pills in the pouch?

Deputy [REDACTED] No, not - not that I can remember. Uh...

Sgt. McGrory: Any - any blades (unintelligible)?

Deputy [REDACTED] No, not that I can remember.

Sgt. McGrory: Okay.

Deputy [REDACTED] Uh, and I did - I didn't handle evidence. I - I surely did, uh...

Sergeant Baer: Who did you see handling the evidence?

Deputy [REDACTED] Deputy (Couch) was handling the evidence.

Sergeant Baer: And who put the evidence into evidence?

Deputy [REDACTED] Deputy (Couch) did.

Sergeant Baer: Okay.

Deputy [REDACTED] Uh...

Sgt. McGrory: So, when - when you saw it - explain how you came to at least see that pouch.

Deputy [REDACTED] Okay, so, um, they bring out their discovery, uh, and they place it on the hood. Um, I look at what's found because I'm the primary officer. Uh, and I see - see what's found and, um, take little mental notes, I guess, and we leave it on the - on the back of, I think, Deputy (Couch's) patrol car. Um, and I - we continue to do our - our, uh, DAR observations. I continue my DAR observations with, uh, the, um, the first person I found and I ask Deputy (Couch) to do, uh, observations on the other two. And, to be honest with you, um, I think maybe [REDACTED] started observations on one of them, but, um, Deputy (Couch) finished, uh, he ended up doin' the observations. We - I - you know, Sarge, we, you know - when...

Sgt. McGrory: You split it up?

Deputy [REDACTED] We split up. You're about stats. Um, so, we, the three of us, talked about, you know, where are you at. I'm - I'm at two arrests. I'm - I'm at 3 arrests.

So, uh, [REDACTED] was - he had more than his, uh - more than enough arrests for that month. At the time we needed to catch up. I took one of the hooks and, uh, Deputy (Couch) took the other two. I took the primary - primary person, um, which is the guy that lives at the...

Sergeant Baer: Lived there with his father?

Deputy [REDACTED] Yeah.

Sgt. McGrory: Was, uh, Sergeant [REDACTED] there to see the, uh, the find (unintelligible) that pouch with the syringes in it?

Deputy [REDACTED] He did. I think he, uh, great - you know, looked over it briefly.

Sgt. McGrory: Okay. And you say without - without any hesitation there were no pills of any kind in there?

Deputy [REDACTED] Um, yeah, I don't - I don't remember seeing any pills.

Sgt. McGrory: If there was some there would you have seen it?

Deputy [REDACTED] I would have seen it, yeah.

Sgt. McGrory: Okay.

Sergeant Baer: Did anybody talk to you afterwards about pills being there?

Deputy [REDACTED] Uh, no, not that I can remember. I'm...

Sergeant Baer: Would you remember that?

Deputy [REDACTED] I think I would, yeah.

Sergeant Baer: I think I would too, I mean...

Deputy [REDACTED] Yeah.

Sergeant Baer: Yeah. So, is it fair to say no, then, nobody came to you and said...

Deputy [REDACTED] No one had ever told me...

Sergeant Baer: ...expressed their concerns about the pills...

Deputy [REDACTED] ...no one...

Sergeant Baer: ...disappearing?

Deputy [REDACTED] ...no one ever told me that they found pills.

Sergeant Baer: Or pills disappeared?

Deputy [REDACTED] Or pills disappeared.

Sergeant Baer: Okay. And what's your relationship, uh, with (Couch)?

Deputy [REDACTED] Uh, Deputy (Couch) and I are, uh, really close friends.

Sergeant Baer: Okay.

Deputy [REDACTED] Um, I don't - I don't think, uh, there's a person on this department that I'm - I'm closer with as far as having a - a professional and personal relationship with.

Sergeant Baer: Okay. Has, uh, anybody ever come to you, uh, or have you ever felt maybe (Couch) needed some help with somethin'?

Deputy [REDACTED] Uh, yeah.

Sergeant Baer: What would that be?

Deputy [REDACTED] Uh, Deputy [REDACTED] came to me, uh, probably a few months ago, two or three months ago, and, uh, he told me that he believed that Deputy (Couch) had a - a substance abuse problem. And, um, we had a conversation. He - he had actually asked - he texted me out of the blue one day and he said "Hey, man, I - I, uh..."

Sgt. McGrory: When you say he, uh...

Deputy [REDACTED] Deputy [REDACTED] ...

Sergeant Baer: Okay.

Deputy [REDACTED] Uh, Deputy [REDACTED] had texted me...

Sergeant Baer: Uh-huh.

Deputy [REDACTED] ...um, out of the blue and said "Hey, uh, I need to talk to you about - about somethin'." And he didn't feel comfortable enough to - to text his, uh, his, uh, concerns over the phone. So, he said I'll - I'll talk to you in person. We, uh, we met up, uh, I think, the first day after we'd received that - I had

received that text, um, and then he had talked to me about, uh, his concerns about Deputy (Couch), uh, being - maybe being addicted to prescription pills. Uh, I - our conversation pretty much was summed up, we kept on bouncin' back and forth. He told me. Um, I asked him why he felt that way. He told me why he felt that way.

Sergeant Baer: What did he tell you?

Deputy [REDACTED] Um...

Sergeant Baer: And we've already spoken to him.

Sergeant Baer: And he's been, I think, very upfront with us.

Sergeant Baer: Yes.

Deputy [REDACTED] Okay, uh, Deputy [REDACTED] is a really good friend of mine too and I - I think - I mean, if there's another person that I'm closer to it would probably be him. And I feel uncomfortable telling you all this because...

Sgt. McGrory: And - and, again, we're not tryin' to jam anybody up.

Deputy [REDACTED] Right.

Sergeant Baer: Alright.

Deputy [REDACTED] Uh, so, Deputy (Couch), uh, would go and - and hang out with [REDACTED] uh, you know, occasionally. Um, one incident was when Deputy, uh, Deputy (Couch) went over to hang out with him, he brought his, uh, his - his, um - I think he may have been hangin' out with his - he had his kids and they, um - this is according to Deputy [REDACTED] he brought his kids over to [REDACTED] house and they maybe had a few drinks, maybe, uh, one or, I don't know, two. It was - and he - during the, um, time they were hangin' out he asked, uh - I don't know, I guess they were - he asked [REDACTED] for, uh, any prescription pills, uh - or I don't know how the conversation had b- been - uh, went, but, uh, (Couch) ended up finding out that [REDACTED], um, Deputy [REDACTED] wife, uh, had prescription pills, uh, from, I guess, a back injury that she had had. She didn't use all. So, they, I guess, they gave him a prescription pill or I think it was a Vicodin. I don't know, maybe two, I don't know. Um, he takes - he takes the - the Vicodin and, um, becomes really, I guess, loopy, uh, couldn't really take care of himself. So, uh, I guess, [REDACTED] had to give him a ride home with his girls 'cause he couldn't - he wasn't gonna be able to drive.

Sergeant Baer: And that one incident caused him to think he had a addiction problem?

Deputy [REDACTED] And as far as, um, as far as Deputy [REDACTED] had, uh, explained to me that was the only incident that he brought up to me where he felt that, um, he, uh, he had, um, a - a - a problem. And, so, what - what I had told [REDACTED] was, uh, "If you feel like it's an issue you should bring it to his attention. We're - we're pretty close friends and you should be able to - to, um, to tell him if he has a problem." And I told him "I would - I would address the issue if I had seen anything that would cause me to be concerned, um, but I haven't. If you want me to be there with you when you confront him or, um, address the issue, um, I will be more than happy to be there. But, um, I haven't seen any."

Sergeant Baer: So, you never talked to (Couch) about havin' problems, or?

Deputy [REDACTED] Never talked to (Couch) about having a substance abu- I take that back. I talked to (Couch) about having a substance abuse problem when this was all going down.

Sergeant Baer: When what was all going down?

Sgt. McGrory: This week?

Deputy [REDACTED] This week.

Sgt. McGrory: Okay.

Deputy [REDACTED] Um, so. Uh...

Sgt. McGrory: Did - did you get the opinion or the feeling that - that [REDACTED] was tryin' to put it on you to engage (Couch) rather than him doin' it himself?

Deputy [REDACTED] I think when it comes to issues like that I think maybe [REDACTED] um, maybe would've - would've felt more comfortable if I would've addressed the issue instead of him. Maybe because, uh, it - he didn't want it to come across like he was dimin' him off, um, or maybe because he thinks that we have a more close relationship, I don't know.

Sgt. McGrory: Did [REDACTED] ever tell you that he had heard (Couch) make comments about popping pills?

Deputy [REDACTED] No.

Sgt. McGrory: Have you ever heard (Couch) just make off the cuff comments about popping pills?

Deputy [REDACTED] Not that I can recall. And - no...

Sgt. McGrory: Okay.

Deputy [REDACTED] ...not that I can recall. Uh, I lost my train of thought. Uh...

Sergeant Baer: And - go ahead I don't want you to lose your train of thought again.

Deputy [REDACTED] No. Oh, no, I - I - I just forgot where - where I left off.

Sgt. McGrory: We - we try to - we're basically askin' ya what - what made, uh...

Deputy [REDACTED] [REDACTED] um - yeah, so, that is - that was the only incident that [REDACTED] had explained to me why he thought he may have had an issue. Um, but that was the last of it. No one had - I had never - I - I didn't see an issue so I didn't bring it to (Couch's) attention.

Sergeant Baer: Uh-huh.

Deputy [REDACTED] Um, if there was an issue then I think I - I - I would've - and, uh, if this is the reason why we're here then I wish I would've at the time. Um...

Sgt. McGrory: Do you ever see him appear - appear to be maybe or partially 11550 at any time around work?

Deputy [REDACTED] Uh, at no time have I - have I, uh, ever seen him 11-5, no.

Sergeant Baer: Have you known him to have an injury that would require pain pills?

Deputy [REDACTED] No, uh, not that I can - I can think of.

Sergeant Baer: W- what do you know about, uh, any rumors or anything about, uh, pills disappearing from details?

Deputy [REDACTED] I - I haven't heard any rumors to be honest with you.

Sergeant Baer: Nobody's told you anything?

Deputy [REDACTED] No one's told me anything.

Sergeant Baer: Uh-huh. Why do you think (Couch) would get himself, uh, I'll use the word addicted, I don't know if he is or not, to pain pills?

Deputy [REDACTED] Uh...

Sergeant Baer: Since - since you are so close to him that's why I'm asking you.

Deputy [REDACTED] Uh, can you repeat your question, Sarge?

Sergeant Baer: If he's never been injured where he needed pain pills, which is common, you know, people get injured and get stuck on pain pills, uh, if he's never been injured why do you think he would, uh, choose to do that?

Deputy [REDACTED] Uh, um, I mean, for recreational use, I guess. I mean, that - that's how it was explained to me when they were hangin' out. I mean, if there's nothin' wrong with him and he's...

Sergeant Baer: When - and when you say "they" you're talkin' about [REDACTED] ...

Deputy [REDACTED] Deputy [REDACTED] and Deputy (Couch), when they - when Deputy [REDACTED] and Deputy (Couch) had hung out or when he told me they'd hung out and he had a drink and took a Vicodin.

Sergeant Baer: Oh, okay. So, in your mind you thought it was recreational, not for pain? Okay. I don't have anything else.

Sgt. McGrory: Me either.

Sergeant Baer: Anything else that maybe we haven't asked or talked about you think would be important to get out now to, uh, not make things worse for anybody further down the line?

Deputy [REDACTED] Nothing comes to mind, Sarge.

Sergeant Baer: Okay.

Sgt. McGrory: I'll, uh - we do have to, uh, before I go off tape we do have to advise you that it's our responsibility to tell you - order you not to talk about this to anybody. Uh, we may not be done talking to everybody we want and we wanna be able to get statements from people without influence of other people saying what they said. And it's the just easiest way for us to get honest feedback on - on what's happening. So, I order you not to discuss this with anybody, okay?

Deputy [REDACTED] Okay.

Sgt. McGrory: Alright.

Sergeant Baer: And one more thing, when was the last time you spoke to (Couch) either by phone or in person or in a text message?

Deputy [REDACTED] I spoke with him last night.

Sergeant Baer: What was that about?

Deputy [REDACTED] We're, uh, just - to be honest with you, with everything that...

Sergeant Baer: Was it you spoke to him or was it through text messages?

Deputy [REDACTED] No, I - I spoke with him on the phone.

Sergeant Baer: Uh-huh.

Deputy [REDACTED] So, I - I pretty much spoke to him at least once every day since - since, uh, since this investigation has been started, I guess.

Sergeant Baer: Uh-huh.

Deputy [REDACTED] Uh, and as a friend I wanna make sure he doesn't do anything harsh.

Sergeant Baer: Who initiated the contact?

Deputy [REDACTED] (Couch) initiated the contact. Uh, I - I've been on vacation and this - this...

Sergeant Baer: This is your first night back?

Deputy [REDACTED] This is my second night back.

Sergeant Baer: Second night back?

Deputy [REDACTED] So, I - I started receiving phone calls from Deputy (Couch), uh - uh, I guess, regarding concerns of IA being investigating something over on our team. So, uh, he had called me a couple times and he had texted me once. Um, being, uh, on vacation, you know, I - I almost thought about not callin' him, but, um, it seemed like it was urgent, so I called him back.

Sergeant Baer: Uh-huh.

Deputy [REDACTED] He told me, uh, what - what he had heard. Uh, and we had talked about basically, uh - uh, tryin' to figure out what - what the - what the investigation was about, you know. Um, asking, you know - we were tryin' to figure out who was involved, who was, uh - and basic he - he seemed to believe, uh, Deputy [REDACTED] was in trouble at the time. I don't know why.

Sergeant Baer: Okay.

Deputy [REDACTED] Um...

Sgt. McGrory: Have you talked to him - when was the first time that he called you with - with - with those type inquiries?

Deputy [REDACTED] Thursday night. It was Friday night - Friday afternoon.

Sergeant Baer: Friday afternoon?

Deputy [REDACTED] Yeah.

Sgt. McGrory: Uh, before he actually came to work and got walked off?

Deputy [REDACTED] Yeah. Um, and - wait, Friday - was Friday the day he got walked off?

Sgt. McGrory: Yeah.

Deputy [REDACTED] Okay, so it was - it was Friday, early Friday afternoon, when, uh, you know, we were - we were tryin' to, you know, put our heads together to figure out what was goin' on. And...

Sgt. McGrory: So, he knew somethin' was goin' on before he got walked off?

Deputy [REDACTED] Yeah.

Sgt. McGrory: Okay.

Deputy [REDACTED] Yeah. And he was - he was, um, reachin' out to people and I was the only one that was gettin' back to him. Um, so, he had reached out to, uh, [REDACTED] wasn't getting back to him. Reached out to [REDACTED] wasn't gettin' back to him. And, um, because people at work gettin' back to him he texted me and, uh, and basically, uh, told me what was goin' on. I reached out to other people and they told me they couldn't talk about it. So now, here we are, we're both in the dark tryin' to figure out what's goin' on. Uh, he had became anxious, um, wanted to come to work, uh, to figure out what was goin' on. Because, uh, if he came to work, um, he would be able to - to figure it out. He came to work and then he gets walked off.

Sgt. McGrory: Okay.

Sergeant Baer: He calls - calls me later that evening to tell me he got walked off. Uh, and, uh, I asked him if he had a, uh, substance abuse problem. I told him about

the conversation that Deputy [REDACTED] and I had had and I said "Man, if you got a problem just come clean and - and tell - tell, uh, you know, come - tell management, tell someone, tell our supervisor." And, uh, he kept sayin' that he doesn't have a problem.

Sgt. McGrory: Okay.

Sergeant Baer: Anything else?

Sergeant Baer: No.

Sgt. McGrory: No.

Sergeant Baer: Okay, the interview is concluded at, uh, 1752 hours.

Witness interview of Deputy [REDACTED]

On Thursday, July 3, 2014, about 1642 hours, Sergeant McGrory and I conducted an interview with Deputy [REDACTED]. The interview was conducted in reference to Internal Affairs case # 14-056, to which Deputy [REDACTED] was a witness. The interview was conducted at the Dublin Police Service's conference room, 100 Civic Plaza, Dublin, CA.

The recording of this interview was subsequently sent to Net Transcripts to be transcribed. Once the transcription was transcribed, I listened to the recording and read the transcription to ensure its accuracy. There were a few corrections made and the following is a synopsis of the interview and an accurate transcription of the interview with Deputy [REDACTED]

In regards to the Extended Stay Hotel detail on June 21, 2014, Deputy [REDACTED] acknowledged seeing Deputy Couch find, amongst other evidence, a prescription pill bottle while searching a black duffle bag. Deputy [REDACTED] stated he initially responded to the hotel with Deputy [REDACTED] at which time they detained five individuals in room 101. The guest who registered into room 101 was discovered to be on probation and had a search clause attached to his probation. Deputy [REDACTED] said while he and Deputy [REDACTED] were detaining the five suspects, Deputy Couch contacted Deputy [REDACTED] to ask if they needed his assistance. Deputy [REDACTED] told Deputy Couch to respond.

Deputy [REDACTED] stated upon Deputy Couch's arrival, "He kinda, like, start takin' over, talking and, searching." Deputy [REDACTED] said Deputy Couch began searching bags, which were inside the hotel room. Deputy [REDACTED] saw Deputy Couch find a methamphetamine pipe, a knife, and a prescription pill bottle. According to Deputy [REDACTED] Deputies [REDACTED] and Couch left the room for a few moments and when they returned, Deputy Couch dictated which deputy was going to arrest which suspect. Three of the five individuals detained were arrested and the remaining two were released from the scene. Deputy [REDACTED] took two female suspects to Santa Rita Jail, Deputy [REDACTED] took the one male suspect to Santa Rita Jail, and Deputy Couch took all of the evidence that had been located to DPS. As far as Deputy [REDACTED] knew, the arrests were for being under the influence of a controlled substance for all three suspects and also possession of a knife for the male suspect. Deputy [REDACTED] said he and Deputy [REDACTED] had only searched the individuals prior to Deputy Couch's arrival. The room and its contents were not searched until Deputy Couch arrived.

I asked Deputy [REDACTED] to describe what he saw when Deputy Couch located the prescription pill bottle. Deputy [REDACTED] stated the bottle was opened by Deputy Couch and Deputy [REDACTED] could see inside the bottle from where Deputy [REDACTED] was standing. Deputy [REDACTED] described seeing an almost full bottle which contained about 30 white oblong shaped pills. Deputy [REDACTED] who had taken an advanced Drug Abuse Recognition course, stated the pills resembled Oxycodone. Deputy [REDACTED] denied knowing what happened to the pills. Deputy [REDACTED] stated someone did speak to him about the pills. Deputy [REDACTED] denied remembering who he had the conversation with, but recalled them saying "The pills got disappeared." Deputy [REDACTED] claimed to not remember much from that conversation and supplied us with limited details.

I asked Deputy [REDACTED] to discuss what he did and saw during the detail at the Cottonwood Apartments on June 20, 2014. Deputy [REDACTED] stated he responded to the apartment complex for a burglary in progress report. Deputy [REDACTED] and Deputy [REDACTED] detained several individuals who were found inside a storage shed. Deputy [REDACTED] said Deputy Couch, Deputy [REDACTED] and Sergeant [REDACTED] also responded to the scene. Deputy [REDACTED] identified Deputy Couch and Deputy [REDACTED] as the two deputies who searched the storage shed. Deputy [REDACTED] said a heroin kit was found and inside the kit were syringes and some heroin or methamphetamine. When asked if there were any pills located, Deputy [REDACTED] stated "Uh, I don't recall seeing pills." Deputy [REDACTED] stated he did not know who found the heroin kit.

The interview concluded at 1705 hours.

Follow-up Witness Interview with Deputy [REDACTED]

On Thursday, July 17, 2014, about 1642 hours, Sergeant McGrory and I conducted a second interview with Deputy [REDACTED]. The interview was conducted in reference to Internal Affairs case # 14-056, to which Deputy [REDACTED] was a witness. The interview was conducted at the Dublin Police Service's conference room, 100 Civic Plaza, Dublin, CA.

The recording of this interview was subsequently sent to Net Transcripts to be transcribed. Once the transcription was transcribed, I listened to the recording and read the transcription to ensure its accuracy. There were a few corrections made and the following is a synopsis of the interview and an accurate transcription of the interview with Deputy [REDACTED].

On July 17, 2014, about 1611 hours, during a witness interview with Deputy [REDACTED] I was told Deputy [REDACTED] spoke to Deputy [REDACTED] about Deputy [REDACTED] concern regarding Deputy Couch possibly taking prescription pills from the scene of an auto accident. I later learned the traffic accident detail occurred on January 19, 2014, about 0206 hours. The incident was documented by Deputy [REDACTED] in report D14-00201.

Deputy [REDACTED] explained that after being interviewed by Internal Affairs on July 3, 2014, Deputy [REDACTED] thought about other "prior events." Deputy [REDACTED] said he was detailed to Amador Valley Boulevard at Stagecoach Drive, Dublin for a vehicle that had hit a tree and the occupants fled on foot. Deputy [REDACTED] said he looked inside the vehicle in an attempt to identify a driver. In the vehicle, Deputy [REDACTED] found a purse belonging to the registered owner, [REDACTED]. Deputy [REDACTED] said he saw a medication bottle in the purse that was prescribed to [REDACTED]. Later, Deputy [REDACTED] noticed Deputy Couch conducting a "secondary search" of the purse. Sometime after the incident, Deputy [REDACTED] received a telephone message from [REDACTED] asking where her medication went because it was not in her purse. Deputy [REDACTED] said he believed [REDACTED] was lying because she had already lied about the accident. Deputy [REDACTED] claimed he attempted to call [REDACTED] back on two occasions, but [REDACTED] did not return his calls. Deputy [REDACTED] did not recall what type of prescription pills were in [REDACTED] purse.

Deputy [REDACTED] stated he saw Deputy Couch taking items out of [REDACTED] purse, but did not recall seeing Deputy Couch with the pill bottle. Deputy [REDACTED] estimated the pill bottle was half full.

After receiving the initial call from [REDACTED] Deputy [REDACTED] stated he discussed the incident with Deputy [REDACTED] Deputy [REDACTED] did not have a reason why he spoke to Deputy [REDACTED] about Deputy Couch taking the pills. Deputy [REDACTED] explained that he went to Deputy [REDACTED] because Deputy Couch was the only other deputy to search [REDACTED] purse; therefore, Deputy Couch may have taken the pills.

Deputy [REDACTED] was asked if he made any attempt to contact Sergeant McGrory or me to report the abandoned vehicle incident. Deputy [REDACTED] stated he did drive by Sergeant McGrory's home to talk to him, but did not see Sergeant McGrory, "so it never happened."

The interview concluded at 1657 hours.

TRANSCRIPT OF INTERVIEW WITH DEPUTY [REDACTED]

- Sgt. Baer: I'm Sergeant Baer of the Alameda County Sheriff's Office, Internal Affairs Office. I'm here in the Dublin Police Services break room.
- Dep. [REDACTED]: Conference room.
- Sgt. Baer: Conference room. I'm here with Sergeant, um, (Robert) McGrory and Deputy...
- Dep. [REDACTED] [REDACTED]
- Sgt. Baer: [REDACTED] um. It's, uh, July 3, 2014. I'm not sure if I said that yet and it's about 1642 hours. Um, [REDACTED] before I started the tape, I gave you a witness, uh, information form.
- Dep. [REDACTED]: Yes.
- Sgt. Baer: And did you have an opportunity to read it?
- Dep. [REDACTED]: Yes, yes.
- Sgt. Baer: And you understand it? You have any questions about it?
- Dep. [REDACTED]: No.
- Sgt. Baer: You signed it?
- Dep. [REDACTED]: Yes.

Sgt. Baer: Okay. Um, so, today we're here to talk to you about a couple, uh, uh, incidents that, uh, have occurred out here in Dublin. Um, specifically, I wanted to talk to you about, uh, Report Number D14, uh, 1849. And that was a - a report that happened, uh, at the Extended Stay on June 21st.

Dep. [REDACTED] Okay.

Sgt. Baer: Were you there that night?

Dep. [REDACTED] Yes.

Sgt. Baer: Okay. What - what can you tell us what that was about.

Dep. [REDACTED] Um...

Sgt. Baer: What happened?

Dep. [REDACTED] Deputy [REDACTED] and I, we were, uh, detailed to the Extended Stay, uh, uh, th- I forgot who the - was the RP - stated that they were smelling, uh, marijuana.

Sgt. Baer: Mm-hm.

Dep. [REDACTED] In the hallway and it was coming from, uh, Room 101, I believe it was.

Sgt. Baer: Mm-hm.

Dep. [REDACTED] Uh, so Deputy [REDACTED] and I responded to Extended Stay. As soon as we got to the, uh, front desk, the clerk, uh, said, "Oh yeah, here's the, uh, guest, uh, the name of the person that rented Room 101. So, we went back to the car. [REDACTED] ran the, uh, the person, found that he had a - it was on (Sam) 7 and, uh, probation. And then I - we went back, uh. As we were getting close to Room 101, uh, there's a couple people at the door. So, we're, like, "Hey, so and so here?" We got in the room. He's, like, "Yeah, he's right there." I think there was five people or so inside. And, uh, so we're, um, just kinda cuffed everybody and, uh, got names from people who they were. And, um, while we're doing all - getting names, I think, uh, Deputy (Couch) called me and said, "Hey, uh, do you need more people there?"

Sgt. Baer: So, he called you on the radio?

Dep. [REDACTED] Um...

Sgt. Baer: Or telephone?

Dep. [REDACTED] I think it was cell phone. It might've been a cell phone.

Sgt. Baer: Mm-hm.

Dep. [REDACTED] Yeah. He's, uh, (unintelligible). "Well, if you're close by, yeah." And, uh, he showed up and, um, he kinda, like, start takin' over, like, stra- uh, talking and, um, searching, uh, he's, like, "Hey, did you guys search here?" I said, "No."

Sgt. Baer: Mm-hm.

Dep. [REDACTED] And then he starts searching the bags.

Sgt. Baer: Mm-hm.

Dep. [REDACTED] And, um, once he start searching bags, I think, uh, uh, the - he located a meth pipe, I think it was. There was a knife, um, what else? Um, there was a pill bottle and - and, uh, I don't recall - there was a few things that I - I know he was searching he found.

Sgt. Baer: Mm-hm.

Dep. [REDACTED] Yeah, and said...

Sgt. Baer: How do you know that?

Dep. [REDACTED] 'Cause I - I was standing with one of the girls that...

Sgt. Baer: With your own eyes, you saw him?

Dep. [REDACTED] Yeah, yeah, yeah.

Sgt. Baer: Remove these things?

Dep. [REDACTED] Yeah.

Sgt. Baer: Okay.

Dep. [REDACTED] Yeah. So, um, after, um, did a - search and all that, uh, [REDACTED] asked me to, uh, do, uh, FSTs, uh, on one of the, uh, females that was there.

Sgt. Baer: Mm-hm.

Dep. [REDACTED] Um, I think, yeah, she was the girlfriend of the guy that was on, uh,

probation.

Sgt. Baer: Mm-hm.

Dep. [REDACTED] So, I start, um, doing FSTs and, um...

Sgt. Baer: Did you do the FSTs still in the room? Where did you do your FSTs?

Dep. [REDACTED] Uh, in the room, yeah.

Sgt. Baer: Mm-hm.

Dep. [REDACTED] Yeah. So, um, uh, then, uh, [REDACTED] (Couch) told [REDACTED] "Hey, lemme have a pow-wow with ya outside."

Sgt. Baer: Mm-hm.

Dep. [REDACTED] So, then, uh, I stood by. They went outside the room. Um, and they came back and said, "Okay, this is what we gonna do."

Sgt. Baer: What - what - what are we gonna do, what they said?

Dep. [REDACTED] Said, uh...

Sgt. Baer: [REDACTED] said what?

Dep. [REDACTED] Uh, (Couch) said, uh, "You could take this - this girl. I'll, uh, I'll take the - there was another girl, uh, I forgot her name but, [REDACTED] or something like that.

Sgt. Baer: Mm-hm.

Dep. [REDACTED] She was a black female. Uh, he said, "I'll take her and in, uh, for 11-5" and then [REDACTED] would take, uh, the main guy for knife and, um, and for 11-5.

Sgt. Baer: Okay.

Dep. [REDACTED] And, uh, the other two people were kicked out.

Sgt. Baer: They were just let go?

Dep. [REDACTED] Yeah.

Sgt. Baer: Were they ID'd and ran...

Dep. [REDACTED] Yeah, yeah.

Sgt. Baer: ...on through?

Dep. [REDACTED] They were ID'd and stuff, yeah.

Sgt. Baer: Um, go ahead.

Dep. [REDACTED] And, um, from there, a- there was a few, uh, actually there was a few, uh, a laptops in there too.

Sgt. Baer: Mm-hm.

Dep. [REDACTED] And I - I tried to locate - 'cause they couldn't find the serial numbers. I was able to locate a one - a serial number on one of the laptops.

Sgt. Baer: Mm-hm.

Dep. [REDACTED] And, uh, uh, I - I don't know if, uh, they ran it or not. I - I don't recall that. So, then, uh, (Couch), uh, he said he had to go back to the station. So, he took all the evidence and then I'll - I took the arrestees, the two females, to the jail and [REDACTED] took the guy.

Sgt. Baer: So, you took (Couch)'s arrest to the jail?

Dep. [REDACTED] Yeah, mm-hm.

Sgt. McGrory: Did you write a supplemental?

Dep. [REDACTED] Yeah, for my, yeah.

Sgt. McGrory: And basically just, uh, dealt with - just that one subject that you...

Dep. [REDACTED] Yeah, I think...

Sgt. McGrory: (Unintelligible).

Dep. [REDACTED] ...it was [REDACTED], uh, [REDACTED]

Sgt. Baer: Was it [REDACTED] would that be the name, [REDACTED]?

Dep. [REDACTED] [REDACTED] or [REDACTED] - [REDACTED] maybe [REDACTED]

Sgt. Baer: [REDACTED]? Okay, yeah.

Sgt. McGrory: Did you find it out of the ordinary that (Couch) would call and ask if, uh, you needed more help?

Dep. [REDACTED] Uh, no, sometimes, uh, I don't know, sometimes we call each other say, "Hey, uh, do you need more people there" or something like that, so...

Sgt. McGrory: So, it wasn't out of the ordinary?

Dep. [REDACTED] No.

Sgt. McGrory: No? When, uh, when he got there, when - when (Couch) got there had you guys already started searching the room?

Dep. [REDACTED] Uh, no, not prior to him, no. 'Cause we were still, uh, 'cause there was, uh, five people in there. We're still, uh, searching people, uh, trying to get their information and, uh, run it over dispa- air.

Sgt. McGrory: Okay. So, was it - did - did you separate the five or do you have 'em sit down on the couch.

Dep. [REDACTED] (Unintelligible).

Sgt. McGrory: What did you do with them specifically?

Dep. [REDACTED] Oh, they, uh, [REDACTED] and I, we cuffed everybody. One was sitting on one bed. The other one was sitting on the other bed. Uh, there was two other chairs, one w- each that were sitting in the chairs. And one was kinda s- one was standing so.

Sgt. McGrory: Handcuffed 'em?

Dep. [REDACTED] Yeah, they were all handcuffed.

Sgt. McGrory: Okay, so, do you all kinda decide how you're gonna search the hotel room? Or did you all just kinda just go off on your own and just start...

Dep. [REDACTED] Uh, kinda, um, when - when (Couch) got here and said, "Hey, w- did you guys search it yet?" I said, "No, we're still kinda, uh, running people out." And so then he, uh, said, "Oh, has anybody searched here?" And then he just started goin' through the, um, bags.

Sgt. McGrory: Okay, so you men- mentioned a number of items. You mention - I know you mentioned a knife that was found. You - where - where was the knife actually specifically located?

Dep. [REDACTED] Um, I think, uh, I'm not - I didn't see it specifically where it was but I know when he was searching, he said, "I found this, I found that."

Sgt. McGrory: (Couch)?

Dep. [REDACTED] Yeah.

Sgt. Baer: As he found things, was he announcing it? "I found a knife. I found a pill bottle."

Dep. [REDACTED] No.

Sgt. Baer: "I found"...

Dep. [REDACTED] No, not announcing it. Kinda, like, uh, searching through and then said, "Hey, I - I - I got a knife" and, uh, I know when he found the, uh, meth pipe, he said, "Yeah, hey, there's a meth pipe." I remem- remember that part.

Sgt. Baer: How 'bout the pill bottle?

Dep. [REDACTED] Pill bottle, uh, no.

Sgt. Baer: He - did he...

Dep. [REDACTED] I didn't, no.

Sgt. Baer: Okay.

Sgt. McGrory: He didn't shake it or hear him say it? Did you - did you see him - what size pill bottle was it?

Dep. [REDACTED] Um, it was one of those, like, just a regular pill bottle about that round, just a regular small one.

Sgt. Baer: Was it like an aspirin where you go buy aspirin from CVS or was it a prescription bottle?

Dep. [REDACTED] It was a prescription bottle, actually, yeah, I think he sh- yeah, I saw the bottle.

Sgt. Baer: Mm-hm.

Dep. [REDACTED] Yeah, yeah, 'cause, uh, when he, uh, opened it- opened it, it was full. I saw

the b-

Sgt. Baer: So, he opened it in front of you?

Dep. [REDACTED] Yeah, yeah.

Sgt. Baer: And what was - what did you see inside?

Dep. [REDACTED] Um, some white pills - I - I don't know what kinda pills they were.

Sgt. Baer: Can you describe 'em, to the best to your recollection?

Dep. [REDACTED] Um...

Sgt. McGrory: Capsule or non-capsule?

Dep. [REDACTED] Non-capsule, uh...

Sgt. McGrory: Round, oblong, uh, what kinda shape?

Dep. [REDACTED] Probably oblong shape, yeah. Uh, they were white p- white pills, non-capsule.

Sgt. Baer: Anything through your training experience that you recognized them to be?

Dep. [REDACTED] No, because it was just a quick thing. It's, like, a...

Sgt. Baer: Mm-hm. Have you been to any drug recognition classes?

Dep. [REDACTED] Yeah, yeah.

Sgt. Baer: What - what's your training on that?

Dep. [REDACTED] Uh, DAR, advanced DAR um...

Sgt. Baer: And in those classes, do they go over forms of narcotics...

Dep. [REDACTED] Yeah.

Sgt. Baer: ...and prescription pills and stuff like that?

Dep. [REDACTED] Yeah, yeah. A- and I think he said what they were but it was just, like, through all the things goin' on, I don't recall what he said they were 'cause I - there was just, like, too many things at that time so I...

Sgt. Baer: Mm-hm.

Dep. [REDACTED] ...don't recall what he said they were.

Sgt. McGrory: So, you say that the bottle was full?

Dep. [REDACTED] Yeah, 'cause I remember when he opened it, I - I saw it was to the - to the rim kinda.

Sgt. McGrory: So, knowing that the shape of - and size of the pills you saw and knowing that it was full, can you give me an estimate how many pills? If all the pills were the same size, how many would have to been in there to be full?

Dep. [REDACTED] I'm probably guessing, maybe 30 pills or so.

Sgt. McGrory: Okay.

Dep. [REDACTED] Yeah.

Sgt. McGrory: Do you know whatever happened to those?

Dep. [REDACTED] No.

Sgt. Baer: Did anybody discuss with you what was gonna happen to them?

Dep. [REDACTED] Uh, no.

Sgt. Baer: Did anybody discuss with you what did happen to them?

Dep. [REDACTED] Uh, I - la- later on, I think, a- um, it's just - I forgot who said - somebody said that he, uh, uh, said that to p- the pills didn't get - the pills got disappeared.

Sgt. McGrory: That was that night?

Dep. [REDACTED] Um, I think it - yeah, it was towards the early morning or something like that.

Sgt. Baer: Where were you when that conversation happened?

Dep. [REDACTED] Um, I don't - I don't recall where I was exactly, yeah.

Sgt. Baer: Still on duty or off duty?

Dep. [REDACTED] Yeah, I was still on duty, yeah.

Sgt. Baer: And you don't recall who said that to you?

Dep. [REDACTED] No.

Sgt. McGrory: When - you said (Couch) took all the evidence and took...

Dep. [REDACTED] It...

Sgt. McGrory: ...it back to the station.

Dep. [REDACTED] Yeah.

Sgt. McGrory: Did you see whether he took those pills with him?

Dep. [REDACTED] I - I don't know if he took the pills or not, yeah.

Sgt. Baer: Do you remember seeing 'em in the room after he'd left?

Dep. [REDACTED] Um, I think [REDACTED] was the last one that kinda - 'cause (Couch) was the first one that left, uh, with the evidence. I took the two females, searched 'em, put 'em in my car and the - and [REDACTED] took the - locked the room.

Sgt. Baer: When whoever it was that told you the pills disappeared, what was your thought or opinion or reply to that?

Dep. [REDACTED] Um, I - I don't recall, uh, what I - what I said or anything, um...

Sgt. Baer: What'd you think about it - what you think about it now?

Dep. [REDACTED] What I think about it, it's, uh, it's wrong, yeah.

Sgt. McGrory: Wha- was there a bag or something that all these - the pills, knife, meth pipe and all that came out of, like, a backpack or a duffle bag or...

Dep. [REDACTED] I th- there - I think they were duffle bag, yeah. 'Cause, uh, it was, I think, a black duffle bag 'cause it was sittin' at the corner of the room. That's what he was searching.

Sgt. McGrory: Okay. And all this evidence you mention were taken out of the same duffle bag?

Dep. [REDACTED] Uh, the computers, uh, were, uh, in the - in the drawers. Um, but I think most of the other stuff was - were in the bags.

Sgt. Baer: Whose duffle bag was it? Was that ever determined?

Dep. [REDACTED] Um, I think, uh, uh, wh- the main guy, um, I think he said it's his bag or somethin'.

Sgt. Baer: So, the guy that was on probation or...

Dep. [REDACTED] Probation...

Sgt. Baer: ...parole?

Dep. [REDACTED] ...yeah.

Sgt. Baer: [REDACTED]?

Dep. [REDACTED]

Sgt. Baer: That name sound familiar?

Dep. [REDACTED] Yeah.

Sgt. McGrory: When, uh, (Couch) and [REDACTED] left the room to discuss what they were gonna do, who else was - all five subjects still in the room?

Dep. [REDACTED] Uh, yeah.

Sgt. McGrory: And just you?

Dep. [REDACTED] No, the - the other two, uh, guys had left actually. They - they kicked the other two - I think it - three were still in the room. The three that were, uh, went to jail, they were still in the room, yeah.

Sgt. McGrory: And you the only deputy in the room?

Dep. [REDACTED] I was the only one.

Sgt. McGrory: So, you were just keepin' an eye on the...

Dep. [REDACTED] Yeah.

Sgt. McGrory: ...three of them?

Dep. [REDACTED] Yeah.

- Dep. [REDACTED] Was there anything else important about that particular scenario that - that event that night that - that you think we should know?
- Dep. [REDACTED] Um, no, I - I don't.
- Sgt. McGrory: Wha- wha- what's your understanding on why we're here tonight?
- Dep. [REDACTED] What's my understanding? That, uh, about that incident that occurred, uh...
- Sgt. McGrory: About the pills.
- Dep. [REDACTED] About the pills, yeah.
- Sgt. McGrory: In particular?
- Dep. [REDACTED] Yeah.
- Sgt. McGrory: Is there anything about that that - had you ever heard (Couch) taking prescription pills prior to that night?
- Dep. [REDACTED] No, I...
- Sgt. McGrory: Any - any suspect- any suspicions that he had done so?
- Dep. [REDACTED] No.
- Sgt. McGrory: Had you ever seen him come to work, uh, appear to be, um, 11550?
- Dep. [REDACTED] Uh, no, I mean, I've done a lotta 115 arrests but I don't think I've noticed that.
- Sgt. McGrory: He ever seem him to be on his game at work?
- Dep. [REDACTED] Yeah.
- Sgt. McGrory: Okay.
- Sgt. Baer: What's your relationship with (Couch) like?
- Dep. [REDACTED] Um, just co-workers that work, I don't...
- Sgt. Baer: Nothing off-duty, friends?
- Dep. [REDACTED] I, uh, he - there was one time they all came to my house - the whole...

Sgt. Baer: Mm-hm.

Dep. [REDACTED] ...uh, team, um. I think it was, like, several months ago. But, as I said, I don't hang around.

Sgt. Baer: And, uh, how long have you worked with him?

Dep. [REDACTED] Um, last year and this year.

Sgt. Baer: Two full years?

Dep. [REDACTED] Yeah, well, this - this is a half year but last year full year and this a half-year.

Sgt. Baer: And then - a year-and-a-half?

Dep. [REDACTED] Yeah.

Sgt. Baer: Okay.

Sgt. McGrory: The other incident.

Sgt. Baer: The other incident.

Sgt. McGrory: I don't know if you remember that day, so...

Sgt. Baer: You - you - you're not named in the report but it's a report that Deputy [REDACTED] took, um, on June 20th at 1:00 in the morning on (Cottonwood) Circle.

Dep. [REDACTED] Oh, actually I was there.

Sgt. Baer: You were there?

Dep. [REDACTED] Yeah.

Sgt. Baer: What - what can you tell us about that night?

Dep. [REDACTED] Um, I think, uh, we got a call of people, um, somebody said, uh, people are breakin' into some cars or something like that. Um, I don't recall exactly, uh, so Deputy [REDACTED] and I - we walked through the (Cottonwood) Circle, uh, inside, uh, the parkin' lot area. And then there was some storage sheds. Um, we walked in the back, saw k- I think it was a guy standing at the doorway and, um, kinda, like, got him at gunpoint

and, uh, 'cause I really didn't know who - what they were doing.

Sgt. Baer: Mm-hm.

Dep. [REDACTED] Uh, I cuffed him and, um, and then, I think, uh, uh, there was, like, two other people inside the room too. And, uh, s- search, uh, got everybody out, got their names out and, um, a- and I stood by one. And I think, uh, (Couch) showed up, um, li- who also showed up later on? Uh, I think, uh [REDACTED] showed up too, I think. Um, so then, uh, th- (Couch) and [REDACTED] searched the room while, uh, that little storage unit 'cause they had their property in there.

Sgt. McGrory: So, when you say in the room, you're talking about the storage shed?

Dep. [REDACTED] That stor- that storage shed, yeah.

Sgt. Baer: Mm-hm.

Dep. [REDACTED] Yeah, so, uh.

Sgt. Baer: And I - I stand corrected to you're named in the report, so...

Dep. [REDACTED] Okay.

Sgt. Baer: Okay?

Dep. [REDACTED] Yeah, so, um, they searched, uh, search and then, um, I think, uh, a knife was located. Uh, [REDACTED] told me, I think, they found a knife. And, uh, and the guys were 11-5.

Sgt. McGrory: Do you remember a heroin kit being found?

Dep. [REDACTED] Uh, yeah, yeah.

Sgt. McGrory: And tell me about that.

Dep. [REDACTED] Oh, um, sorry.

Sgt. McGrory: That's all right.

Dep. [REDACTED] Um, yeah, cause - when they - they were arresting them, they had - they had the property on the car. There was, I think, a heroin kit. Um, I don't know, inside the kit, uh, there might have been some heroin or meth or something like that, uh...

Sgt. McGrory: Do you remember, when you say it mighta been, what it look like?

Dep. [REDACTED] Um, i- it - it was, uh, I think it was inside of a plastic, uh, baggy, um...

Sgt. Baer: You saw it with your own eyes?

Dep. [REDACTED] Yeah, I saw it - I saw it so briefly 'cause, uh, he was just kinda puttin' stuff on top of his hood- so I didn't, uh, I was just kinda standing wi-, uh, 'cause there was three of the, uh...

Sgt. McGrory: Do you remember seeing any needles?

Dep. [REDACTED] Uh, yeah, I think there was some needles.

Sgt. McGrory: Were there any pills in there?

Dep. [REDACTED] Uh, I don't recall seeing pills.

Sgt. McGrory: Okay. Anything - anything else in that kit that you recall seeing?

Dep. [REDACTED] Uh, just - just I think it was just the needles and, uh, um, whatever the packet it was - it was meth or heroin.

Sgt. McGrory: Now, when you s- when you saw that, was that, at what point in time during the scenario was it you found it or that you saw that?

Dep. [REDACTED] Uh...

Sgt. McGrory: Had it been, like, just before it got processed or...

Dep. [REDACTED] Before they're taking 'em to jail kinda.

Sgt. McGrory: So, it had been found for quite some time before...

Dep. [REDACTED] Yeah.

Sgt. McGrory: ...you saw it?

Dep. [REDACTED] Yeah, it had been found before I saw it, yeah.

Sgt. McGrory: Do you - do you know - do you recall when they actually found it?

Dep. [REDACTED] Um, I think, uh, towards - towards, uh, after the guys, uh, gotten taken out 'cause, um, uh, I was there. We, uh, we got two guys out first and then, uh, the other guy was laying down too. He was saying his back was hurting or

something like that. I think we got him out too and then, uh, searched around the room. And then I stood outside with him and, uh, I don't know what time exactly he found that kit.

Sgt. McGrory: So you were outside when it was found inside?

Dep. [REDACTED] Yeah, I was outside when everybody...

Sgt. Baer: And who found it?

Dep. [REDACTED] Uh, I'm not sure who found that exactly, yeah.

Sgt. McGrory: Okay, from the time that - that you became aware that it was found, how much time elapsed until you actually saw wha- the contents of it?

Dep. [REDACTED] Not ex- maybe ten minutes or something, I don't know, probably, yeah.

Sgt. McGrory: Roughly ten minutes plus (unintelligible)?

Dep. [REDACTED] Yeah.

Sgt. McGrory: (Unintelligible).

Dep. [REDACTED] Yeah.

Sgt. McGrory: Nine minutes and 53 seconds?

Dep. [REDACTED] No, I - I...

Sgt. McGrory: Are you saying?

Dep. [REDACTED] Yeah, um...

Sgt. McGrory: Had you seen anybody - any of the - the deputies actually have that in their possession at any time?

Dep. [REDACTED] Um, I don't think so. I think it was, uh, I don't even recall if it was [REDACTED] or (Couch). I didn't have position, I don't recall.

Sgt. McGrory: Okay, so then when you saw it opened up, it was on - on the patrol car or where was it?

Dep. [REDACTED] Yeah, it was on - on the patrol car.

Sgt. McGrory: It was opened up on the patrol car. You think there may have been needles

in there, you're not sure?

Dep. [REDACTED] I - I think there was needles but not 100% sure. But I think there was, yeah.

Sgt. McGrory: And are you certain or you're not certain whether there was or wasn't any pills in - in that kit?

Dep. [REDACTED] Not certain.

Sgt. McGrory: Not certain?

Dep. [REDACTED] No.

Sgt. McGrory: Okay

Dep. [REDACTED] No.

Sgt. Baer: Okay. Did anybody have any discussions with you after that detail?

Dep. [REDACTED] No.

Sgt. Baer: About pills disappearing again or...

Dep. [REDACTED] No.

Sgt. Baer: Um, the pills from the Extended Stay where you said (Couch) opened up the top and you saw it was almost filled?

Dep. [REDACTED] Yeah.

Sgt. Baer: Um, would you say they were Oxycodone?

Dep. [REDACTED] Um, they could've been Oxy.

Sgt. Baer: Could've been?

Dep. [REDACTED] Coulda been, yeah.

Sgt. Baer: Why could they have been?

Dep. [REDACTED] Um, they're - the sh- the shape, uh, coulda been, yeah.

Sgt. Baer: You know that through?

Dep. [REDACTED] My training, yeah.

Sgt. Baer: Is there anything else we haven't asked you that you think would be important to disclose now so we would be able to...

Dep. [REDACTED] No.

Sgt. Baer: ...know now and not find out later?

Dep. [REDACTED] No.

Sgt. Baer: No? Has, uh, Deputy (Couch) tried to contact you in the last few days?

Dep. [REDACTED] Um, yeah, he - he called me, um, that, uh, that night. Uh, I forgot which - was it Thursday that he called in sick?

Sgt. Baer: He c- called in sick Thursday...Correct

Dep. [REDACTED] Yeah.

Sgt. Baer: ...night.

Dep. [REDACTED] So, uh, uh, Thursday - Friday - Friday morning he, uh, I think he called, uh, or Friday afternoon, he called me said, "Hey, what's going on?" I said, "I have no idea. What do you mean what's goin' on?" He tried to ask and it's like, "Hey, there's people calling me." I said, "Ah, seriously dude, I have no idea what the hell you're talking about."

Sgt. Baer: Did you know?

Dep. [REDACTED] No, I didn't know, no, and then, um, and then after, I guess, uh, Friday night, uh, I saw, uh, I saw him in his car out there. And then he didn't - then I heard that, you know, he asked, uh...

Sgt. Baer: Did he say anything to you?

Dep. [REDACTED] No, uh, and then the following day he text- he text me, um, I think it was, uh, yeah, the following day, he texted me Saturday, said, "Hey, call me, a-uh, call me." Um, I didn't reply. I told Sarge, "Hey, you sel- you said not to talk to him. He c- he texted me, so."

Sgt. Baer: Okay.

Dep. [REDACTED] Yeah.

Sgt. Baer: And that was, uh, he didn't retext...

Dep. [REDACTED] Yeah.

Sgt. Baer: ...you again...

Dep. [REDACTED] Yeah.

Sgt. Baer: ...or call you?

Dep. [REDACTED] No.

Sgt. Baer: That was it?

Dep. [REDACTED] Yeah.

Sgt. Baer: I do not have any other questions?

Sgt. McGrory: I appreciate it.

Dep. [REDACTED] No problem.

Sgt. Baer: Okay, it is, um, 1704 hours and...

Sgt. McGrory: Ho- hold on, hold on. Sorry, one more thing. Um, we have instructed you not to talk about i- this, our conversation or anything related to this conversation with anybody, okay?

Dep. [REDACTED] Okay.

Sgt. McGrory: I, of course, I have to actually order you...

Dep. [REDACTED] Okay.

Sgt. McGrory: ...not to do so.

Dep. [REDACTED] 'Cause I don't...

Sgt. McGrory: I- it's in everybody's best interests if we can just get their statements without any influence on what other people have said.

Dep. [REDACTED] Yeah.

Sgt. McGrory: So, don't - don't discuss this with anyone.

Dep. [REDACTED] Okay.

Sgt. Baer: One more question, I'm sorry. Was Deputy [REDACTED] at the Extended Stay on that evening?

Dep. [REDACTED] Uh, no, he - he - was he on vacation or...

Sgt. Baer: You don't remember him being there?

Dep. [REDACTED] No, no. I...

Sgt. Baer: Okay.

Dep. [REDACTED] I remember, um, [REDACTED] - [REDACTED] showed up, oh, and who else? Somebody else sho- it might've been [REDACTED] just showed a- I don't...

Sgt. Baer: You're not...

Dep. [REDACTED] I'm...

Sgt. Baer: ...sure?

Dep. [REDACTED] ...not sure, no.

Sgt. Baer: Okay.

Dep. [REDACTED] But I know [REDACTED] showed up but then he had a call so he just left right away.

Sgt. Baer: Okay.

Dep. [REDACTED] Yeah.

Sgt. Baer: All right, it's 1705 hours, the interviews concluded and, um, for the record, this is in regards to Internal Affairs Case 14-056.

TRANSCRIPT OF FOLLOW-UP INTERVIEW WITH DEPUTY [REDACTED]

Sgt. Baer: All set?

Sgt. McGrory: About to. I - I got mine so I - I screwed him over so you gotta make sure (unintelligible) here.

Sgt. Baer: It's working. Okay, it's July 17, 2014 at 1642 hours. I'm Sergeant uh, Baer of the Internal Affairs Unit, I'm here at Dublin Police Services in the

'conference room with Sergeant McGrory of Internal Affairs, and Deputy [REDACTED] right?

Dep. [REDACTED]

[REDACTED]

Sgt. Baer:

[REDACTED]

Dep. [REDACTED]

Yeah.

Sgt. Baer:

Um, and this is uh, in reference to Internal Affairs case 14-56, and Deputy [REDACTED] this is uh, the second time we're interviewing you in a prior interview I served and showed you a interview - witness interview form, do you remember that?

Dep. [REDACTED]

That's right, yes.

Sgt. Baer:

Okay. Um, do you have any questions about it?

Dep. [REDACTED]

No, I don't.

Sgt. Baer:

Okay. All right. Um, durin' the course of the investigation it's come to our attention that um, there may have been a incident uh, that you were involved in - it was a abandoned vehicle um, that maybe you suspected the driver was (Deuce) uh...

Dep. [REDACTED]

Yeah.

Sgt. Baer:

...had fled the scene...

Dep. [REDACTED]

Yeah.

Sgt. Baer:

Uh, tell us about that.

Dep. [REDACTED]

Okay. Uh, this is after, when you guys left - left last week...

Sgt. Baer:

Uh-huh.

Dep. [REDACTED]

...or, not last week uh, last time we interviewed.

Sgt. Baer:

Uh-huh.

Dep. [REDACTED]

Um, after uh, that evening I started thinkin' about some of the other prior events and um, this was on Amador uh, Valley uh, at Stagecoach there was a vehicle that was uh, hit a tree and I - and I arrived and uh, since it was my uh, beat, I started uh, doin' the investigation and lookin' inside and uh,

uh, um, I - tryin' to find the driver. There was a purse inside the car, so I suspected this was probably a case it was a female uh, I started lookin' in the purse um, finding uh, in- driver's or the ROs information.

Sgt. Baer: Uh-huh.

Dep. [REDACTED] I uh, noticed there was a medication that matched with the ID and all that, and um, so - so then I was just puttin' all uh, that stuff out that you know, might be this person this.

Sgt. Baer: Uh-huh.

Dep. [REDACTED] And then I noticed Couch came and he was uh, kinda s- doin' a secondary search of the purse, I know um, and then uh, later on after this was all over I got a call from that uh, girl sayin' that...

Sgt. Baer: Did you tow the car to the vehicle...

Dep. [REDACTED] Yeah, I did.

Sgt. Baer: ...or?

Dep. [REDACTED] Yeah.

Sgt. Baer: Okay, so you towed the vehicle um...

Dep. [REDACTED] Because uh...

Sgt. Baer: It was abandoned then?

Dep. [REDACTED] Abandoned, yeah, and wrecked and...

Sgt. Baer: All right, so then later on the RO...

Dep. [REDACTED] The RO called me...

Sgt. Baer: ...called you?

Dep. [REDACTED] ...and said, "Hey um, you know, I was involved in that accident and uh, I had some medication in there and it's not there anymore."

Sgt. Baer: Uh-huh.

Dep. [REDACTED] So I was like, she's probably - she's probably lying and that...

Sgt. Baer: Uh-huh.

Dep. [REDACTED] ...s- uh, since uh, uh...

Sgt. Baer: 'Cause as far as you know it was in...

Dep. [REDACTED] S...

Sgt. Baer: ...her purse?

Dep. [REDACTED] Yeah, it was in her purse and she already lied about the accident that you know, she f- fled the scene so.

Sgt. Baer: Uh-huh.

Dep. [REDACTED] And then she left me another message, so then I called her and she - sh- uh, she didn't pick up the phone and I had tried to call her another day and th- didn't pick up the phone so then I just kinda left it at that.

Sgt. Baer: And she never called you back?

Dep. [REDACTED] Never called me back and then um, once - when we were talkin' about that then I kinda realized that, I was tryin' to uh, talk to you uh, about that incident, because um, this was after when I was uh, thinkin' about it, said you know what, yeah, there was that one time that I remember that bottle, so.

Sgt. Baer: What was the um, pill bottle, what was it?

Dep. [REDACTED] I don't recall.

Sgt. Baer: Okay. It was. But it was - describe the bottle?

Dep. [REDACTED] Um, small n- medication bottle uh, it's just...

Sgt. Baer: Prescription though?

Dep. [REDACTED] Yeah, it was a...

Sgt. Baer: Had the woman's name on it?

Dep. [REDACTED] Yeah - yeah, it was uh, her name on it yeah.

Sgt. Baer: And when did this incident happen?

Dep. [REDACTED] I th- I think it was in March, but I could be wrong um, I took the report if I look in my fileads I could...

Sgt. Baer: Uh-huh.

Dep. [REDACTED] ...[unintelligible] that information.

Sgt. Baer: Um, who - or did you - you said Couch had the purse and was goin' through the purse?

Dep. [REDACTED] Yeah.

Sgt. Baer: Um, did you see him take out the pill bottle?

Dep. [REDACTED] Um, I didn't see it uh, I know he went through th- he was looking through it, takin' stuff out uh, as a secondary search he was searching it, so uh, I didn't see him actually take it or anything like that.

Sgt. Baer: Did you see it in his hand at any point?

Dep. [REDACTED] Um, I don't know if I saw it or not uh, I can't be 100% sure if he actually a- I saw it in his hand or not, but I think uh, um, he was takin' stuff outta the purse and uh, at - at - at the time I didn't think that much of it and then later on like we were talkin' about all this stuff and then I...

Sgt. Baer: Uh-huh.

Sgt. McGrory: What was he doin' with the stuff when he took it outta the purse, he was sittin' it on the s...

Dep. [REDACTED] Si- yeah, I think he um, this was in fronta the uh, on the hood I think he was takin' ou- stuff out and puttin' it on the - on the hood, yeah.

Sgt. McGrory: If you had to - is there any way if you'd estimate how many pills, obviously you picked the pill bottle up...

Dep. [REDACTED] Yeah, I di- I didn't open it so I - I'm not sure.

Sgt. McGrory: When you - you - did you feel rattling, were there pills in it?

Dep. [REDACTED] Yeah - yeah, there were - there were definitely pills in there yeah.

Sgt. McGrory: Um, could you tell whether it seemed like half full, three quarters full, just slightly I mean, ho...

Dep. [REDACTED] S- i- if I - if I have to guess it'd probably...

Sgt. McGrory: I don't want you guessin' I mean...

Dep. [REDACTED] ...be around half...

Sgt. McGrory: ...if you wanna give an educated uh...

Dep. [REDACTED] Yeah, probably like half.

Sgt. McGrory: Okay.

Dep. [REDACTED] Yeah.

Sgt. McGrory: And you don't know what it was?

Dep. [REDACTED] No, I don't know what it was, no.

Sgt. McGrory: Okay.

Sgt. Baer: And after the woman called you did it cause you some concern?

Dep. [REDACTED] Yeah, she i- she said um, "I had some prescription pills in my purse uh, those were uh, they were - they were prescribed to me"...

Sgt. Baer: Uh-huh.

Dep. [REDACTED] ...“and uh, they’re not there, and I had picked up my purse and I checked my vehicle it’s not in my vehicle either.”

Sgt. Baer: Uh-huh.

Dep. [REDACTED] So um, I - at first I thought she was probably lying or somethin' like that because she denied tha- at that first night uh, we're tryin' to look for her and contact her and she as nowhere to be found, so then uh, I thought because that was she was probably intoxicated she - she's lying or somethin' like that, and then she left me a couple more messages or two more - two messages so then I tried to call her back a couple times and I couldn't get a hold of her.

Sgt. Baer: Did you discuss that incident with anybody?

Dep. [REDACTED] Uh, I think uh, I might've uh, yeah I'm tryin' to think of the - who did I uh, discuss that with. It mighta been [REDACTED]

Sgt. Baer: Uh-huh.

Dep. [REDACTED] Yeah.

Sgt. Baer: And why did you feel the need to - if you didn't believe her uh, about you know, the pills being gone, why did you - what were you talkin' to [REDACTED] about, what was your concern?

Dep [REDACTED] Um, I don't know wa- uh, I just kinda like uh, because I - I think uh, all - all this other stuff happening that you know, it just kinda like you know.

Sgt. Baer: Okay. Did you suspect Couch may have taken 'em?

Dep. [REDACTED] I suspect - yeah, that he may have taken it but, I wasn't sure, so...

Sgt. Baer: Is that the conversation you had with [REDACTED]?

Dep. [REDACTED] Yeah.

Sgt. Baer: And when did that conversation occur?

Dep. [REDACTED] Um, I don't know the exact - exact time on it yeah, (unintelligible).

Sgt. McGrory: Closer to when the date of the incident itself?

Dep. [REDACTED] Um, I mean...

Sgt. McGrory: (Unintelligible) day of week...

Dep. [REDACTED] ...pro- probably yeah um, or maybe - yeah, maybe uh, close to it.

Sgt. McGrory: Close to what?

Dep. [REDACTED] Close to the day of the - or a week later from the incident, yeah.

Sgt. McGrory: Okay, so none of the other instances we've talked to you about, the last time we spoke, had even happened?

Dep. [REDACTED] Yeah - yeah.

Sgt. McGrory: So, so that makes me - go back and - 'cause when we first started you said some of the other prior events, and that makes me think that you have other events similar to this that - that maybe um, because if yo- you were already believing Couch was takin' the pills then...

Dep. [REDACTED] Yeah.

Sgt. McGrory: ...it leads me to believe there were some incidents prior to that, it's just t
that one incident wouldn't...

Dep. [REDACTED] No - no - no, thi- this was uh, this incident that I t- told you is when
we uh, last time when you guys came and talked to me, and then uh, I - I
thought about it and I said, you know what, last time at that accident when
it uh, occurred, and then uh, that's why last - when you guys left here last
time I was tryin' to uh, see if I could um, somehow contact you and tell
you about a uh, there was another time with that accident.

Sgt. Baer: But what Sergeant McGrory's sayin' is yo- you didn't know about - when
this incident occurred you of course didn't know about what happened on
June 20th and June 21st?

Dep. [REDACTED] No - no.

Sgt. Baer: Okay.

Dep. [REDACTED] No.

Sgt. Baer: So, you were concerned that Couch took them, and you had made, what
was the comment?

Sgt. McGrory: Um, well i- well earlier on at the very beginning of - of this interview
here...

Sgt. Baer: Yeah.

Sgt. McGrory: ...he said, "some of the other prior incidents," um, you know that led me
to believe a- and the reason I - I say that is i- i- it goes hand-in-hand with
you sayin' in March that you had suspicions that Couch was takin' the pills
then and you were concerned, so it leads me to believe with those two
statements that maybe there were some incidents that happened somethin'
else prior to this...

Sgt. Baer: Yeah.

Sgt. McGrory: ...TC incident that led you to believe things had happened...

Dep. [REDACTED] Yeah, no, I might've uh, the way I probably said it that was an uh, th- the
way - what I meant i- from here is like, af- after this last incident when you
guys talked to me, I kinda like um, thought about it and then...

Sgt. McGrory: Uh-huh.

Dep. [REDACTED] ...said you know what, that you know, the prior incident was that accident and uh, and...

Sgt. McGrory: So you were tryin' to remember that incident the last time that we spoke?

Dep. [REDACTED] Yeah - yeah.

Sgt. McGrory: Okay. So now tonight when - whe- when - when you mentioned that you had mentioned possibly to [REDACTED] um, that you were concerned Couch was takin' prescription meds in March or when this TC happened...

Dep. [REDACTED] Oh, i- I wasn't concerned that he was takin' them I just said you know what, yo- 'cause like he was the one that kinda searched it, so uh, nobody else searched that car so, but I wasn't sure if he actually t- took it or not so...

Sgt. McGrory: Okay, so you weren't...

Dep. [REDACTED] ...I wa...

Sgt. McGrory: ...you weren't concerned that you were startin' to see a pattern...

Dep. [REDACTED] No - no - no - no...

((Crosstalk))

Dep. [REDACTED] ...not like that, no it's...

Sgt. McGrory: Oh.

Dep. [REDACTED] ...it's just that uh, it's like you know, okay, she's sayin' that, besides me, he was the oth- other person that searched it so, I don't know.

Sgt. McGrory: So you did have some concerned then that y- you know, maybe they did come up missing?

Dep. [REDACTED] Yeah, if they - if they come up - came up missing he was the other person that searched...

Sgt. McGrory: She's not lying, he had to be...

Dep. [REDACTED] Yeah, I - yeah 'cause...

- Sgt. McGrory: ...had to be the one who took 'em?
- Dep. [REDACTED] Yeah, that's what I meant, I didn't mean like you know, I - there's like a pattern or...
- Sgt. McGrory: Okay.
- Dep. [REDACTED] ...seeing you know him takin' stuff, no, it's - it's you know, because it was only two of us that searched that purse so, if it's you know, if she's sayin' that they're missing it's - it's obviously not me, so...
- Sgt. McGrory: Uh-huh.
- Dep. [REDACTED] ...he's the other one that searched it 'cause you know.
- Sgt. McGrory: Okay. Yeah I - I misunderstood so I - I - I think now what you're tryin' to say is, if she wasn't lying, and if she did really...
- Dep. [REDACTED] Yeah.
- Sgt. McGrory: ...have pills...
- Dep. [REDACTED] Yeah.
- Sgt. McGrory: ...then he had to have been someone who took 'em?
- Dep. [REDACTED] Yeah.
- Sgt. McGrory: Okay. So prior to this incident, you had never...
- Dep. [REDACTED] Yeah.
- Sgt. McGrory: ...had any reason to believe that...
- Dep. [REDACTED] No.
- Sgt. McGrory: Okay.
- Dep. [REDACTED] No.
- Sgt. McGrory: And i- forgive me I - I - maybe it's just 'case I'm gettin' old I - I don't remember you tryin' to mention another incident the last time we spoke but y- you had it, is that what you're tellin' us?
- Dep. [REDACTED] No, this is the - the accident is the one that uh...

Sgt. McGrory: You did try and tell us...

Dep. [REDACTED] (Unintelligible).

Sgt. McGrory: ...about this accident...

Dep. [REDACTED] No - no - no...

Sgt. McGrory: ...the last time we spoke?

Dep. [REDACTED] I - I said a- after when you guys left...

Sgt. McGrory: Oh.

Dep. [REDACTED] ...uh, when I was thinkin' about it I said 'cause the last time you asked me if there was any other incidents, and um, at the time I wasn't uh, sure of it, and then later on I remembered I say you know what that - that's possibly another incident.

Sgt. McGrory: Okay.

Dep. [REDACTED] So.

Sgt. McGrory: Did you try and reach either one of us to uh...

Dep. [REDACTED] No, uh, it wa- actually I kinda drove by your house uh...

Sgt. McGrory: Okay.

Dep. [REDACTED] ...'cause I saw one day there was - your garage was open...

Sgt. McGrory: Uh-huh.

Dep. [REDACTED] ...your motorcycle was on the side, and uh, I tried to see if you were outside or somethin' like that 'cause I drove by...

Sgt. McGrory: Okay.

Dep. [REDACTED] ...and uh, I was gonna come talk to you but...

Sgt. McGrory: Okay.

Dep. [REDACTED] ...it just uh, didn't occur.

Sgt. Baer: Was that woman arrested that evening?

Dep. [REDACTED] No, she wasn't 'cause sh- she just left uh...

Sgt. Baer: She was sober or...

Dep. [REDACTED] N- no she - sh- she got in that accident and just took off, le- uh...

Sgt. Baer: Did you ever find her?

Dep. [REDACTED] She...

Sgt. Baer: Talk to her?

Dep. [REDACTED] ...she came uh, the following day and said that...

Sgt. Baer: So you didn't see her that night?

Dep. [REDACTED] No, I didn't see her that night, she uh, it wa- this was our Friday, so...

Sgt. Baer: Uh-huh.

Dep. [REDACTED] ...the next uh, she came back on uh, B Team...

Sgt. Baer: Okay.

Dep. [REDACTED] ...and the boyfriend gave a statement that he was drivin' that he drove the car and wrecked it.

Sgt. Baer: Okay. Did you uh, complete a w- CHP180?

Dep. [REDACTED] Yeah.

Sgt. Baer: And is there anything on there about inventoryin' the car or...

Dep. [REDACTED] I think that's...

Sgt. Baer: ...you know, what was in it?

Dep. [REDACTED] ...probably like uh, most of the CHP guys just fill that out I don't put on like every single item that's in there it's just like...

Sgt. Baer: You just...

Dep. [REDACTED] ...miscellaneous...

- Sgt. Baer: ... (unintelligible) purse?
- Dep. [REDACTED] Yeah, miscellaneous items in there.
- Sgt. McGrory: Y- you didn't - so you didn't bring you know I if - if I had purses I oftentimes brought purses back and put them in (unintelligible) you didn't do that, you keep the purse in the...
- Sgt. Baer: You didn't tow the car with the purse in it, did you?
- Dep. [REDACTED] No - no - no - no I think uh, the purse was i- in the evidence 'cause when they came back picked it up yeah - yeah, I just put miscellaneous purse items.
- Sgt. Baer: Is there an inventory of the purse as far as what kinda cash she had in there a-?
- Dep. [REDACTED] Uh...
- Sgt. Baer: ... documented?
- Dep. [REDACTED] ... no, I don't think there was cash in there or anything it was just like uh, some makeup and...
- Sgt. McGrory: A purse with miscellaneous items?
- Dep. [REDACTED] ... just miscellaneous girls stuff that's like makeups and pens and, lipsticks and all kinds of stuff so I just - I put miscellaneous purse items.
- Sgt. McGrory: Okay. It'd be nice if you could find that uh, work form for us so.
- Dep. [REDACTED] Okay, I'll - I'll do that and uh...
- Sgt. Baer: Email it to us.
- Dep. [REDACTED] ... I could email it to you gu- guys yeah.
- Sgt. Baer: Yeah. Okay. Today's your Friday?
- Dep. [REDACTED] No, today is my uh...
- Sgt. Baer: Today's your Tuesday, right?
- Dep. [REDACTED] ... Tuesday, yeah, I still got...

Sgt. Baer: S...

Dep. [REDACTED] ...Friday and Saturday...

Sgt. Baer: Have it to us by the end of the year, this week?

Dep. [REDACTED] Uh...

Sgt. McGrory: Oh yeah.

Dep. [REDACTED] ...if you guys have time I could just go downstairs (unintelligible) pull it out real quick.

Sgt. Baer: That's fine just, when you get a chance and then email it?

Dep. [REDACTED] Okay.

Sgt. Baer: You got anything else? Okay, it is um, 1657 hours and the interview's complete.

Witness interview of Deputy [REDACTED]

On Thursday, July 3, 2014, about 1824 hours, Sergeant McGrory and I conducted an interview with Deputy [REDACTED]. The interview was conducted in reference to Internal Affairs case # 14-056, to which Deputy [REDACTED] may have been a witness to. The interview was conducted at the Dublin Police Service's conference room, 100 Civic Plaza, Dublin, CA.

The recording of this interview was subsequently sent to Net Transcripts to be transcribed. Once the transcription was transcribed, I listened to the recording and read the transcription to ensure its accuracy. There were a few corrections made and the following is a synopsis of the interview and an accurate transcription of the interview with Deputy [REDACTED].

Deputy [REDACTED] was attending K-9 training during the time of the Extended Stay Hotel and Cottonwood Apartments details. Deputy [REDACTED] did not have any information regarding Deputy Couch that would have assisted in this investigation. Deputy [REDACTED] stated his relationship with Deputy Couch is strictly professional and they do not associate off duty.

TRANSCRIPT OF INTERVIEW WITH DEPUTY [REDACTED]

Sgt. Baer: Okay, it's July 3rd, 2014, it's 1824 hours. I'm Sergeant Baer of the Alameda County Sheriff's Office, Internal Affairs Office here at Dublin Police Services in the conference room with Sergeant Bob McGrory and Deputy [REDACTED] right? [REDACTED]

Deputy [REDACTED] Mm-hm.

Sgt. Baer: Um, and Deputy [REDACTED] you - you work here at Dublin? How long you been with the agency?

Deputy [REDACTED] I've been with the Sheriff's Office, I'm in my 13th year, I've been a Dublin for 10 years.

Sgt. Baer: Ten years? And what team are you on right now?

Deputy [REDACTED] C Team.

Sgt. Baer: C Team. And how long have you been on C Team?

Deputy [REDACTED] I've been on C Team, [REDACTED] and I rotate every six months-ish...

Sgt. Baer: Mm-hm.

Deputy [REDACTED] ...so um, C and D, go back and forth with the dogs.

Sgt. Baer: Mm-hm.

Deputy [REDACTED] Uh, so sometime in January, I came back to C Team.

Sgt. Baer: And how many ti- so it's six months before that that you were on C Team?

Deputy [REDACTED] Correct.

Sgt. Baer: Okay. So in the last two years, you've done a year on C Team?

Deputy [REDACTED] Correct.

Sgt. Baer: Okay. Um, and currently, you're assigned as the canine officer on...

Deputy [REDACTED] On C Team.

Sgt. Baer: ...C Team?

Deputy [REDACTED] Mm-hm.

Sgt. Baer: All right. Um, there's - like I told you before goin' on tape, there's two uh, details that I wanted to talk to you about. One occurred on June 21, were you workin' that night?

Deputy [REDACTED] June 21st?

Sgt. Baer: Yeah.

Deputy [REDACTED] I think I was in canine. Of this year?

Sgt. Baer: Yeah. So how long you - you just came back from canine school, so how long did that last?

Deputy [REDACTED] The last three weeks I've been in canine school, so...

Sgt. Baer: Okay.

Deputy [REDACTED] So...

Sgt. Baer: Then the two incidents I wanted to talk to you about um, you weren't even present.

Deputy [REDACTED] Okay.

Sgt. Baer: (Unintelligible) before.

Deputy [REDACTED] Yeah, I went to canine school maybe the start of the 9th, I started the week after the 9th, so I think I would have started the 16th actually is the first day of canine school.

Sgt. Baer: Okay. Um, during your time on C Team, have you had any conversations with anybody or has there been any rumors about um, maybe somebody on the team being - havin' a problem with prescription pills?

Deputy [REDACTED] You talkin' prior to Friday or just - well, when this whole IA thing started goin' around...

Sgt. Baer: Prior to that IA thing of goin'...

Deputy [REDACTED] Yeah.

Sgt. Baer: ...in the IA thing?

Deputy [REDACTED] Yeah.

Sgt. Baer: Okay. Um, have anybody ever come to you to talk about - expressing feelings about maybe pills disappearing...

Deputy [REDACTED] No.

Sgt. Baer: ...from details or...

Deputy [REDACTED] No.

Sgt. Baer: You have no knowledge of that?

Deputy [REDACTED] No.

Sgt. Baer: And what's your relationship with uh, Deputy (Couch)?

Deputy [REDACTED] He's a B partner.

Sgt. Baer: Do you ever see him off duty?

Deputy [REDACTED] No.

Sgt. Baer: You speak to him over the phone?

Deputy [REDACTED] No.

Sgt. Baer: Do you know if (Couch) was ever injured? You have any knowledge of injury?

Deputy [REDACTED] No, I don't- I don't - um, I don't think so.

Sgt. McGrory: Mm-hm. Have you had an opportunity to - to see him when he was on - during work hours where uh, maybe he may seem 11-550?

Deputy [REDACTED] No.

Sgt. McGrory: All right. Um, have you noticed, has his behavior changed in the last year or so?

Deputy [REDACTED] No. Um, I mean, he was - I think from around February 'til recently, he went up to detectives, so he left our team. He was like a 98 detective.

Sgt. Baer: Oh.

Deputy [REDACTED] So he just came back to our team.

Sgt. Baer: So then you haven't had a lot of experience workin' with him on C Team during the last...

Deputy [REDACTED] No, I have, but not...

Sgt. Baer: (Unintelligible).

Deputy [REDACTED] ...um, 'cause you know, I'm six months at a time on C Team...

Sgt. McGrory: Yeah.

Deputy [REDACTED] ...and then for a lot of this year, he was gone - he was upstairs and...

Sgt. McGrory: He was in investigations.

Deputy [REDACTED] ...I think he actually went longer than 90 days in investigations.

Sgt. McGrory: Okay.

Deputy [REDACTED] Because I remember prior to that, he was sayin', "hey, I might go" I'm like, "dude, you really want to do that, that doesn't seem like it's all that fun to help clean up other people's cases." And I guess he actually really enjoyed it, but I don't know.

Sgt. McGrory: You haven't seen any different type of behavior from him than what you've seen in the past?

Deputy [REDACTED] No. Just seemed kind of stressed out, I think he's - he's goin' through a divorce and whatnot.

Sgt. Baer: Okay. Have you talked to him in the last few days?

Deputy [REDACTED] Yes, I have.

Sgt. Baer: And what - tell us about that.

Deputy [REDACTED] Uh, Tuesday when I was in class down - down south, he called me late afternoon and he says, "hey, you know what's goin' on?"

Sgt. Baer: You - you sure it was Tuesday?

Deputy [REDACTED] I'm certain it was Tuesday.

Sgt. Baer: Certain it was Tuesday?

Deputy [REDACTED] Yeah.

Sgt. Baer: Okay.

Deputy [REDACTED] Yeah, because I was - at - we were training at LAX and just comin' back from dinner.

Sgt. Baer: Okay.

Deputy [REDACTED] Um, and he just called me up, I don't know if he was wantin' to see if I knew what was goin' on or if he was just reaching out to me um, as someone to talk to or I don't - he doesn't normally call me, we don't normally have - the phone conversations that we have is like - would be like at work, like, "hey, did you see so and so riding his bike down the street?" that sort of conversation. I've never had like a personal conversation with him, like on the phone.

Sgt. Baer: Mm-hm.

Deputy [REDACTED] So - um, and I - and I knew that he'd been - walked off um, and then the other time that - that I'd had some communication with him was a week ago Friday afternoon. I was drivin' back from LA and he texted me and he goes, "hey, what's goin' on at work?" I said, "I don't know, I've been gone the last couple weeks." He goes, "people are askin' me if I'm okay." I'm

like - anyway, he just texted me a few times sayin' "hey, I think someone's - someone's in an IA and people are sayin' they're gonna get fired, this person" and I said, "well, I've been gone, I - I don't know what you're talkin' about." So...

Sgt. Baer: Who did he say was gonna get fired?

Deputy [REDACTED] He said he didn't know.

Sgt. Baer: Oh, he didn't know?

Deputy [REDACTED] But I - but I - what I gathered is, is that he thought it was him because...

Sgt. Baer: Oh.

Deputy [REDACTED] ...people were sayin', "hey, are you okay?"

Sgt. Baer: Oh.

Deputy [REDACTED] And - and I said, "well, weren't you at work at last night?" he said, "no, I called in sick" meaning Thursday, the day before Friday. So then when I finally got back from LA 'cause when he texted me, I was in the grapevine. When I finally got back here to drop off my patrol car, I noticed his car was here, I'm like ooh, that can't be good, so I - I just put two and two together.

Sgt. Baer: In his personal car?

Deputy [REDACTED] Correct.

Sgt. Baer: Yeah.

Sgt. McGrory: And that was Friday around...

Sgt. Baer: Friday (unintelligible)?

Deputy [REDACTED] When I got ho - no, when I got back here, it was probably close to 8:00.

Sgt. Baer: At night?

Deputy [REDACTED] Correct.

Sgt. Baer: Okay.

Deputy [REDACTED] Yeah. And when he was texting me, it probably was 3:00 or 4:00ish,

3:00ish in that timeframe so.

Sgt. McGrory: Okay. So you thought both of those phone calls were kind of out of ordinary for him to make to you?

Deputy [REDACTED] Just the second one.

Sgt. McGrory: Okay.

Deputy [REDACTED] Um, the - the first text, it just seemed like - he was like, "hey, what's goin' on - have you heard what's goin' on at work?" I'm like, "no, I haven't." And then this - when I saw that - when I heard - when I came and saw he was gone, then you know, the rumors goin about yeah, he got walked out of here. Then when he called me up, that was out of the ordinary, so...

Sgt. Baer: And that was on Tuesday?

Deputy [REDACTED] Correct.

Sgt. Baer: Yeah.

Sgt. McGrory: And he just wanted to know what you knew?

Sgt. Baer: What you knew.

Deputy [REDACTED] Yeah. He said, "do you know anything?" I said, "I don't know anything, haven't even talked to [REDACTED] yet, so."

Sgt. Baer: I don't have any other questions, do you?

Sgt. McGrory: Nope. I know we didn't discuss that much, but I have to order you not to talk about what we talked about.

Deputy [REDACTED] Okay.

Sgt. McGrory: And not to talk about the case.

Deputy [REDACTED] Okay.

Sgt. McGrory: And it's just standard practice.

Deputy [REDACTED] I know. I don't know anything. I - I really don't. It kind of seems like (unintelligible).

Sgt. Baer: For once you don't know anything

Deputy [REDACTED] Yeah.

Sgt. Baer: All right, it's 1832 hours, the interview is completed.

Witness interview of Sergeant [REDACTED]

On Thursday, July 3, 2014, about 1834 hours, Sergeant McGrory and I conducted an interview with Sergeant [REDACTED]. The interview was conducted in reference to Internal Affairs case 14-056, to which Sergeant [REDACTED] was a witness. The interview was conducted at the Dublin Police Service's conference room, 100 Civic Plaza, Dublin, CA.

The recording of this interview was subsequently sent to Net Transcripts to be transcribed. Once the transcription was transcribed, I listened to the recording and read the transcription to ensure its accuracy. There were a few corrections made and the following is a synopsis of the interview and an accurate transcription of the interview with Sergeant [REDACTED].

Sergeant [REDACTED] had been with the Alameda County Sheriff's Office for about fifteen years. Sergeant [REDACTED] had been currently assigned as the C-Team supervisor at DPS since April, 2013.

Regarding the Extended Stay Hotel detail on June 21, 2014, Sergeant [REDACTED] stated he did not respond to the scene. Sergeant [REDACTED] did review and approve Deputy [REDACTED] original report. Sergeant [REDACTED] stated he was later advised the laptop computers recovered from the hotel room were not immediately placed into evidence. Sergeant [REDACTED] had no other information to report regarding the Extended Stay detail.

Regarding the Cottonwood Apartment detail, Sergeant [REDACTED] stated he did respond to the scene after the deputies had arrived and detained the suspects. Sergeant [REDACTED] looked into the storage shed, but did not witness the shed being searched. Sergeant [REDACTED] did not recall which deputy searched the shed, but believed it may had been searched by Deputy Couch and Deputy [REDACTED]. Sergeant [REDACTED] did not recall exactly what evidence was recovered from inside the shed because his deputies make many narcotics related arrests.

The interview concluded at 1843 hours.

TRANSCRIPT OF INTERVIEW WITH SERGEANT [REDACTED]

Sgt. Baer: Okay so it's July 3, 2014; it's 1834 hours. I'm Sergeant, uh, Dan Baer from the Alameda County Sheriff's Office Internal Affairs office. I'm at, uh, (Dublin) Police Services in the conference room with Sergeant, uh, Robert McGrory and Sergeant [REDACTED] is present. Um, And this is in reference to Internal Affairs case 14-056. Um, Sergeant [REDACTED] how long have you been with the agency?

Sgt. [REDACTED] Uh, almost 15 years.

Sgt. Baer: And your current assignment?

Sgt. [REDACTED] Uh, the sergeant of C Team at (Dublin) Police.

Sgt. Baer: And how long have you been supervisin' C Team?

Sgt. [REDACTED] Um, since April of last year.

Sgt. Baer: Okay. Um, there's two specific details that I wanted to ask you about. Um, that to - some of your deputies went to. Uh, one was on June 21 when they were, um, detailed to the Extended Stay and that was, uh, Deputy [REDACTED] detail?

Sgt. [REDACTED] Okay.

Sgt. Baer: Are you aware of that?

Sgt. [REDACTED] Yeah I kn- I know that they went over there, yeah.

Sgt. Baer: Did you, uh, respond to the scene there? Did anybody, uh...

Sgt. McGrory: That's a no?

Sgt. [REDACTED] I don't think so. I don't remember responding there. Um, I don't think I was there.

Sgt. Baer: No? Did anybody talk to you about that detail?

Sgt. [REDACTED] Uh, nobody talked to me about it, um, I did have to read Deputy [REDACTED] report. Um, 'cause I had to approve his report but other than that I haven't talked to anybody else about it.

Sgt. Baer: Mm-hm. There was evidence, um, regarding that - that detail 'cause there were some arrests made.

Sgt. [REDACTED] Mm-hm.

Sgt. Baer: Um, do you wanna look at the report to kinda refresh your memory or?

Sgt. [REDACTED] Sure.

Sgt. Baer: I had a question about the evidence, um, there were some things that weren't placed into evidence until, um, a few days later or...

Sgt. [REDACTED] Mm-hm.

Sgt. Baer: ...a week later I think it said in the report. And that's what I wanted to ask you did you know that tho- those things hadn't been placed into evidence yet?

Sgt. [REDACTED] No. No, I had no knowledge.

Sgt. Baer: And I think you - I think...

Sgt. [REDACTED] Just...

Sgt. Baer: ...it was laptops or, uh, laptop cases or something.

Sgt. [REDACTED] A- and that's just from the Chief. The Chief told me, "These things have not been processed, could you (unintelligible) 'em."

Sgt. Baer: How did that come to light that w- we found or the Chief found out that those things hadn't been put into evidence?

Sgt. [REDACTED] Uh, Captain (Miles) and the Chief went out to his car I guess and there was a laptop in his car. His...

Sgt. Baer: Work car or?

Sgt. [REDACTED] Supposedly it was inside of his Posse Box. His Posse Box was in his car and the laptop was in...

Sgt. Baer: In his - in his (Dublin) Police vehicle or?

Sgt. [REDACTED] No - no I think it was his personal vehicle.

Sgt. Baer: Oh, okay.

Sgt. [REDACTED] Um, before they walked him off. Uh, so...

Sgt. Baer: Mm-hm.

Sgt. [REDACTED] Then the Chief came to me and said, uh, I think (Couch) may have still had the evidence k- locker key, uh, I'm not sure but the Chief came to me and said, "Here's the key to a locker," I think it was 3. Um, "These things have not been processed, this is what happened and..."

Sgt. Baer: Okay.

Sgt. [REDACTED] ...um, please have [REDACTED] process this evidence."

Sgt. Baer: Okay.

Sgt. [REDACTED] So that's the only reason that I know that those things weren't processed into evidence.

Sgt. Baer: Mm-hm. Did anybody, um, talk to you about, um, pill bottles from that detail?

Sgt. [REDACTED] Only from reading [REDACTED] report. That's the only thing that I know about that.

Sgt. Baer: So nobody talked to you before the...

Sgt. [REDACTED] Nobody...

Sgt. Baer: ...report or anything?

Sgt. [REDACTED] No.

Sgt. Baer: Okay. Any questions about that detail? Um, and then the next detail, uh, occurred on June 20 and that was on Cottonwood...

Sgt. [REDACTED] Circle?

Sgt. Baer: Circle. Cottonwood Circle. And that was Deputy [REDACTED] detail? Do you recall being there?

Sgt. [REDACTED] Yes. Yes, I did stop by...

Sgt. Baer: Tell us about...

Sgt. [REDACTED] ...that one.

Sgt. Baer: ...that.

Sgt. [REDACTED] Um, that was a call of possibly like a burglary in progress, subjects hopping over a wall and inside of a storage unit. Um, so they went over there, they initially contacted the suspects in the storage unit, um, I drove by later on, I went over there, uh, took a brief look over - as a - I think they were already walking the suspects out of the storage unit. 'Cause I initially passed it because it was super dark over there, um, and I couldn't tell if they were still off on foot or where exactly they were. 'Cause there's several different storage units there. So I stopped and then, uh, they said, "Are you passed us?" So then I came back and they were walkin' the suspects out that they had already detained. Uh, so I just took a brief look

in the room, saw like a blow torch maybe on a floor and then a sleepin' bag on the floor and I just d...

Sgt. Baer: Was that the - the storage shed?

Sgt. [REDACTED] Inside the storage shed, yeah. So I just said, "Hey make sure you guys look underneath that sleepin' bag because all these - they all looked high. Soon as you saw 'em you could see their pupils were like..."

Sgt. Baer: Mm-hm.

Sgt. [REDACTED] ...ya know, super constricted. Um, so I said, "Make sure you guys check underneath that sleepin' bag, um, and make sure, ya know, see if there's any drugs or anything else in there."

Sgt. Baer: Was any evidence - to your knowledge was any evidence already obtained at that point?

Sgt. [REDACTED] At that point?

Sgt. Baer: Yeah.

Sgt. [REDACTED] No. They had just walked 'em out and they were h- they had handcuffed...

Sgt. Baer: Okay.

Sgt. [REDACTED] ...'em. Um, and I wasn't gonna involve myself in searching that - that's, ya know, I leave that to them.

Sgt. Baer: Were you present when it was searched?

Sgt. [REDACTED] No.

Sgt. Baer: Where were you when it was bein' searched?

Sgt. [REDACTED] Uh, all three suspects were lined up on a curb, um, and I think th- uh, they went in to search the storage shed and I stayed out there with one of the other guys and watched all three of them.

Sgt. Baer: And who went in to search the storage unit?

Sgt. [REDACTED] I don't remember who it was. 'Cause I - I don't know if they constantly changed - I wanna say me and [REDACTED] were probably the ones that were standing outside watchin'...

- Sgt. Baer: Mm-hm.
- Sgt. [REDACTED] ...these three guys. Um, I didn't want one guy just standin' there watchin' three guys, ya know?
- Sgt. Baer: Mm-hm.
- Sgt. [REDACTED] Um, so, uh, it may have been (Couch) and [REDACTED] or (Couch) d- I don't remember.
- Sgt. Baer: Was Deputy [REDACTED] present?
- Sgt. [REDACTED] Yeah I think he was present. So it could have been (Couch) and [REDACTED] Um, I'm not sure who exactly went in there. 'Cause I...
- Sgt. Baer: Mm-kay.
- Sgt. [REDACTED] ...spent most of my time talkin' to the suspects and watchin' the suspects. Um, so I don't know exactly who went in there and searched.
- Sgt. McGrory: Where you were with the three subjects th- that was basically on the back side of the storage shed?
- Sgt. [REDACTED] Yeah you'd have to go around the corner - all the way around the corner.
- Sgt. Baer: So you couldn't...
- Sgt. [REDACTED] I was completely out of view.
- Sgt. Baer: ...look inside while it was...
- Sgt. [REDACTED] Yeah.
- Sgt. Baer: ...being searched?
- Sgt. [REDACTED] Yeah.
- Sgt. Baer: Hm. And did they come out with anything?
- Sgt. [REDACTED] You know what? I don't - I'd have to look at the report. I don't recall what they came out with. I know, uh, I don't recall what they came out with without lookin' at the report. I know all three were 11-5 for sure. Um, as far as what else they came out with I...
- Sgt. McGrory: Do ya remember perhaps a, uh, a heroin kit bein' found?

- Sgt. [REDACTED] It's possible or a pipe or...
- Sgt. McGrory: And maybe set down on - on the hood of the patrol car? Does that sound familiar at all?
- Sgt. [REDACTED] I don't recall that.
- Sgt. McGrory: Okay.
- Sgt. [REDACTED] These guys make a lotta drug arrests so I don't recall specifically a heroin kit- I do really know if it was...
- Sgt. McGrory: Syringes or anything?
- Sgt. [REDACTED] I don't know if it was pills, pipes...
- Sgt. McGrory: So you just don't remember?
- Sgt. [REDACTED] Mm, yeah.
- Sgt. Baer: Um, did anybody talk to you about pills or anything that night?
- Sgt. [REDACTED] No.
- Sgt. Baer: Okay. And how long has Deputy (Couch), uh, worked for you?
- Sgt. [REDACTED] Since April of 2013 when I came here.
- Sgt. Baer: Um, from then until now have you noticed any changes in him or, um, behaviors that caused you concern?
- Sgt. [REDACTED] The only thing I could say about him is he's inconsistent. Um, and I just base that on the fact that he's goin' through a divorce and nothin' else.
- Sgt. Baer: Okay.
- Sgt. [REDACTED] Um, and never presented. I see him exercisin' and workin' out and he's w-a- there's nothing that caught my eye that would say this guy's got anything more than a divorce goin' on in his life so...
- Sgt. Baer: Mm-hm. I don't have any other questions. Is there anything that you think, uh, you cou- should add to - to this that would be important?
- Sgt. [REDACTED] No.

Sgt. Baer: No? Okay.

Sgt. McGrory: Just have to direct you before we go off tape not to discuss this with anybody. [REDACTED]?

Sgt. Baer: It's, uh...

Sgt. [REDACTED] No problem.

Sgt. McGrory: ...(unintelligible) with is when you (unintelligible).

Sgt. Baer: [REDACTED] it's, um, 1843 hours, the interview is concluded

Witness interview of Deputy [REDACTED]

On Thursday, July 17, 2014, about 1611 hours, Sergeant McGrory and I conducted an interview with Deputy [REDACTED]. The interview was conducted in reference to Internal Affairs case 14-056, to which [REDACTED] was a witness. The interview was conducted at the Dublin Police Service's conference room, 100 Civic Plaza, Dublin, CA.

The recording of this interview was subsequently sent to Net Transcripts to be transcribed. Once the transcription was transcribed, I listened to the recording and read the transcription to ensure its accuracy. There were a few corrections made and the following is a synopsis of the interview and an accurate transcription of the interview with Deputy [REDACTED].

Deputy [REDACTED] had been employed by the Alameda County Sheriff's Office for about seven years and had been assigned to C Team at DPS for over two years. According to Deputy [REDACTED], he was not present at the Extended Stay Hotel and Cottonwood Apartment details because of being on vacation June 20, 2014 and June 21, 2014. Deputy [REDACTED] stated the only information he knew was through rumors he had heard about Deputy Couch being placed on administrative leave for possibly taking drug evidence from details.

I asked Deputy [REDACTED] if anyone had spoken to him about concerns they had regarding Deputy Couch. Deputy [REDACTED] said Deputy [REDACTED] spoke to him sometime in January or February 2014. Deputy [REDACTED] was concerned Deputy Couch took a prescription pill bottle from the scene of a vehicle accident. Deputy [REDACTED] said the incident involved an abandoned vehicle that was involved in a solo accident. When the registered owner went to the station to retrieve her property, she found her prescription medication missing.

Deputy [REDACTED] stated he was at the scene of the accident that evening, but did not see Deputy Couch with the pill bottle. Deputy [REDACTED] said he told Deputy [REDACTED] to report his concerns to a supervisor, but did not know if that happened.

The interview concluded at 1620 hours.

TRANSCRIPT OF INTERVIEW WITH DEPUTY [REDACTED]

Sgt. Baer: Okay, it's, uh, July 17, 2014. It's 1611 hours. I'm Sergeant, uh, Baer, Internal Affairs Unit. I'm here at Dublin Police Services in the conference room with Sergeant McGrory of Internal Affairs and Deputy [REDACTED].
[REDACTED] Correct?

Dep. [REDACTED] Correct.

Sgt. Baer: Um, Deputy [REDACTED] before I turned on the tape, I showed you the internal affairs interview permission which...

Dep. [REDACTED] Correct.

Sgt. Baer: And you read it and you understand it?

Dep. [REDACTED] Yes, sir.

Sgt. Baer: And do you have any questions?

Dep. [REDACTED] No, sir.

Sgt. Baer: And this is in, uh, reference to Internal Affairs Case 14-056. Uh, Deputy [REDACTED] how long have you been on the department?

Dep. [REDACTED] Seven years.

Sgt. Baer: And where are you currently assigned?

Dep. [REDACTED] Currently assigned to Dublin Police Services.

Sgt. Baer: On what team?

Dep. [REDACTED] C-Team.

Sgt. Baer: Okay. How long have you been on C-Team?

Dep. [REDACTED] I've been on C-Team for, uh, two and a half years.

Sgt. Baer: Okay. On June 20th there was a detail. Were you working on June 20th?

Dep. [REDACTED] Uh, I'd have to refer to my calendar but I do not believe so.

Sgt. Baer: Did you have any planned vacation?

Dep. [REDACTED] I believe that I was on my vacation, yes sir.

Sgt. Baer: Okay. Were you on vacation out of town somewhere?

Dep. [REDACTED] No, I was working the fair (unintelligible).

Sgt. Baer: And – so that wouldn't be (unintelligible) that I was on vacation cause I was working the fair.

Dep. [REDACTED] Yeah.

Sgt. Baer: (Unintelligible)

Sgt. Baer: Yeah, go ahead.

Dep. [REDACTED] Let me check. I brought my calendar. June 20, right?

Sgt. Baer: June 20th.

Dep. [REDACTED] June 20th I was on, uh, I was on scheduled bidden vacation working at the fair that night.

Sgt. Baer: So you didn't work it here? (unintelligible).

((Crosstalk))

Dep. [REDACTED] That's right.

Sgt. Baer: That be the same for the 21st or not?

Dep. [REDACTED] Yes, sir. I was – I was at the fair on the 21st as well.

Sgt. Baer: Um, has anybody talked to you about this investigation?

Dep. [REDACTED] I have heard the rumors that spread throughout the station. As, you know, as do anytime there's an internal affairs investigation.

((Crosstalk))

Sgt. Baer: What was the rumors?

Dep. [REDACTED] The rumors that Deputy (Couch) was, uh, placed on administrative leave and the investigation of allegations of uh, possible, um, removal of drug evidence from - from various scenes and possible use of that. That drug evidence.

Sgt. Baer: Prior to this investigation, did anybody ever come to you with any concerns or - or comments about Deputy (Couch) and maybe his behavior or having problems with anything?

Dep. [REDACTED] There was one incident, um, several months ago, before he went upstairs to - to detectives, that, um, one of my co-workers mentioned to me that he was - learned something that was relevant to one of his investigations. Um, that he believed that - that maybe Deputy (Couch) might have been responsible for - for removing some drug evidence from - from the scene and I was - I was on that scene that night, but I did not see that.

Sgt. Baer: What deputy told you that?

Dep. [REDACTED] Deputy [REDACTED]

Sgt. Baer: And where was the scene?

Dep. [REDACTED] It was a, um, 1182, um, abandoned probab- probably a DUI crash, where the, uh, suspect had fled on foot and while we were searching the vehicle trying to learn the identity of the possible occupants and - and where they may have fled to, um, apparently there was prescription pill bottle that was in the vehicle. I had - I had never seen it but, uh, Deputy [REDACTED] had seen it and (Couch) discovered it and he saw him with it and then later the - the suspects came to the station to retrieve evidence and said that she wanted her prescription medication and it was not in the vehicle and it was not in her purse. She wanted it returned to her.

Sgt. Baer: Was it returned to her?

Dep. [REDACTED] It was - it was never found. It was...

Sgt. Baer: Were you there at that detail from beginning to end?

Dep. [REDACTED] I was one of the f- I was one of the first arriving officers, but I was, um, more focused on trying to locate the - the driver, and was searching on foot down the street.

Sgt. Baer: Who was primary on it?

Dep. [REDACTED] Deputy [REDACTED] was primary on it.

Sgt. Baer: Do you remember what month it was?

Dep. [REDACTED] Um, it was, um, it was early like - like January, February, something like that. It was before he went upstairs.

Sgt. Baer: And, um, what was your conversation like then with Deputy [REDACTED]

Dep. [REDACTED] Uh, I - I believe that it was, you know, something - something that he just - he wanted to tell someone else. He didn't want to be the sole bearer of that information so he's not gonna tell someone else to, you know, relieve his anxiety from - from knowing what he knew and um...

Sgt. Baer: What did you tell him?

Dep. [REDACTED]

Um, I told him I was gonna go home for the weekend and think about what this was, um, the best course of action was gonna be and I came back and told him that - that we needed to tell somebody about that. If – whether or not it happened or, uh, if it happened or if, you know, he needed some help or whatever that somebody a supervisor needed to be aware of what...

Sgt. Baer:

Who would report that?

Dep. [REDACTED]

I did not report that because I - I didn't actually witness it. I wasn't actually involved in it. I just heard about it.

Sgt. Baer:

Do you know if [REDACTED] reported it?

Dep. [REDACTED]

I don't know.

Sgt. Baer:

Did you ever talk to him again about it?

Dep. [REDACTED]

I didn't.

Sgt. Baer:

Have you talked - has anybody else came to you or have you told anybody else that...

Dep. [REDACTED]

No.

Sgt. Baer:

...particular incident?

Dep. [REDACTED]

No, I did not.

Sgt. Baer:

And has anybody came to you about other incidents or other concerns?

Dep. [REDACTED]

Um, I learned about the incident that you're investigating on June 20th prior to knowing that there was an internal affairs...

Sgt. Baer:

Who talked to you about this investigation?

Dep. [REDACTED]

I – I don't recall who had mentioned it to me but it was like a - like a Midnight muster thing. Having coffee or something.

Sgt. Baer:

Mm-hm.

Dep. [REDACTED]

And it was mentioned that there was an incident that the at the hotel where...

Sgt. Baer:

Describe the incident.

Dep. [REDACTED] Um, they were - they were detailed to a bunch of guys that were under the influence and – and during the search of the hotel room there were some pills found and there was a conversation had, um, that went something to the effect of, “Hey, we could just take these guys for 115, write the reports later and - and then I’ll just make this – this, you know, disappear and - and we won’t have to worry about that. This - the prescription pill bottle that was found.

Sgt. Baer: Did anybody say what was in the prescription pill bottle on this or the other the – the abandoned vehicle?

Dep. [REDACTED] No.

Sgt. Baer: Just that it was a prescription bottle.

((Crosstalk))

Sgt. Baer: Do you remember what the woman said it was?

Dep. [REDACTED] I - I don't recall. I didn't have a conversation with her. I just heard about it.

Sgt. Baer: What's your relationship like with uh, Deputy (Couch)?

Dep. [REDACTED] Mm, we work together, um, and we're you know, amicable together. But, um...

Sgt. Baer: Anything off duty or...

Dep. [REDACTED] No, we don't - we don't hang out off duty at all.

Sgt. Baer: Has he picked up the phone and try to call you in that last couple of weeks?

Dep. [REDACTED] Yes.

Sgt. Baer: By text message or calling?

Dep. [REDACTED] He texted and called.

Sgt. Baer: When did that occur?

Dep. [REDACTED] Um, it occurred the whatever - whatever date he was walked off.

Sgt. Baer: And what was that?

Dep. [REDACTED] Uh, I got several text messages and I didn't respond to and then I got a phone call that I did answer and uh, and I just pretended not to know anything. I told him, "Hey, I don't know what's going on."

Sgt. Baer: What was he asking?

Dep. [REDACTED] He was asking, "What's going on? Should I be worried? Is there investigation going on? You know, what's IA asking about? Who are they talking to?" I don't - I don't - I don't know, they haven't talked to me, so I don't know what's going on.

Sgt. Baer: And how sure are you after he was walked off?

Dep. [REDACTED] It was before.

Sgt. Baer: It was before?

Dep. [REDACTED] Yes. It was - it was the - it was the afternoon of.

Sgt. Baer: The afternoon of the day he got walk off?

Dep. [REDACTED] Yes.

Sgt. Baer: Okay.

Sgt. McGrory: Prior to being walked off?

Dep. [REDACTED] Prior to being walked off. Apparently he had received a lot of text messages from guys, from friends he has because...

Sgt. Baer: Is that what he told you or is that what he told you? Or is that what you...

Dep. [REDACTED] He - he - he, um he told me that a lot of people from ETS had texted him, "Hey, are you okay? What's going on? Is everything all right?" And then I - and then I had heard that the sergeants at ETS had asked, said, "Hey, we need - we need somebody to go to Dublin." They were looking for volunteers to come to Dublin as his replacement.

Sgt. Baer: Okay.

Dep. [REDACTED] So they - they assumed that something was going on. I don't know why they assumed it was with him.

Sgt. Baer: What's your relationship with, uh, Deputy [REDACTED]

Dep. [REDACTED] [REDACTED] a really good friend of mine.

Sgt. Baer: Does he ever talk to you about Deputy (Couch)?

Dep. [REDACTED] No.

Sgt. McGrory: He asked you a minute ago, uh, your relationship was with (Couch) and did you finish your answer there?

Dep. [REDACTED] Um, more or less. We don't - we don't - we don't really hang out off duty. We hang out off duty, it's because of hanging out with [REDACTED] or with uh, [REDACTED] or somebody else and - and he's also with him. But we don't uh, we don't hang out together.

Sgt. McGrory: I read something to that. That's why...

Dep. [REDACTED] Yeah

Sgt. McGrory: Talk to me.

Dep. [REDACTED] I'm not - I'm not - I'm not enemies with - with (Don). I just - I don't think we get along with him too well and it's not - it's not a secret. Everybody knows that.

Sgt. McGrory: Is it because his...

Dep. [REDACTED] Just personality, just personality conflict. It's just personality and – and work ethic and I mean I don't like the way he does things and I don't like the way he approaches things sometimes so we - we have differences in that, so we work on opposite of town for pretty good reason.

Sgt. Baer: Do you have anything else?

Sgt. McGrory: Um, when - when she came to you - you said the owner of the car in the incident that happened prior, um, she came - she came to the office here. She had to get a release for the vehicle?

Dep. [REDACTED] She had - she had already gotten a release for the vehicle. Went and got - went to pick the vehicle up and then um, and then apparently he and I - I heard this second hand from - from Deputy [REDACTED] but she had come here and said, "Hey, I want - I want my medication. I had medication in the vehicle. I know it was in there and I want it back."

Sgt. Baer: Did she talk to a supervisor or Deputy [REDACTED]?

Dep. [REDACTED] She talked to Deputy [REDACTED]. And then apparently she made several phone calls but she had, um, I guess pretty extensive 115 type history, so nobody really took her seriously. And, you know, and the guys thought, you know, some doper looking for looking for a fix or whatever. So it was - it was pretty easy to - to blow off her concerns that her medication was missing.

Sgt. Baer: Okay. Any other interest in a or incidents or any - any comments you think that may be...

Dep. [REDACTED] I don't - I don't know any - I don't know I haven't seen don't know of and haven't heard anything else other than - than what I've already told you guys.

Sgt. Baer: It says 1620 hours and interview is completed.

Witness interview of [REDACTED]

On Wednesday, July 24, 2014, 1117 hours, I conducted a telephone interview with [REDACTED]. The interview was conducted in reference to Internal Affairs case # 14-056, to which [REDACTED] was a possible witness. The interview was conducted from my office telephone in the Internal Affairs Unit, 1401 Lakeside Drive, Oakland, CA to [REDACTED] telephone number [REDACTED].

The recording of this interview was subsequently sent to Net Transcripts to be transcribed. Once the transcription was transcribed, I listened to the recording and read the transcription to ensure its accuracy. There were a few corrections made and the following is a synopsis of the interview and an accurate transcription of the interview with [REDACTED].

On January 19, 2014, about 0206 hours, [REDACTED] vehicle had been involved in a solo vehicle traffic accident on Amador Valley Boulevard at Stagecoach Drive, Dublin, documented in report D14-00201 by Deputy [REDACTED]. [REDACTED] vehicle had been left abandoned by the driver, [REDACTED]. Although [REDACTED] was not present at the time of the accident, [REDACTED] purse had been in the vehicle. [REDACTED] later alleged her prescription pills, Clonazepam, were missing from her purse.

[REDACTED] stated her purse was held at DPS for about one week. When [REDACTED] purse was returned to her, [REDACTED] found her Clonazepam and another item missing. [REDACTED] did not recall what the other missing item was. [REDACTED] stated she needed the Clonazepam for a seizure disorder and has taken it for about ten years. [REDACTED] stated she left a message for the sergeant handling the case, but never received a return telephone call. [REDACTED] did not remember the sergeant's name. [REDACTED] did recall speaking to Deputy [REDACTED] in person and was told to wait for the investigation to be completed. According to [REDACTED] she was not helped in finding her medication and finally gave up. [REDACTED] described the pills as being round and green in color. [REDACTED] stated she was never contacted regarding the accident her vehicle was involved in.

The telephone interview concluded at 1125 hours.

Investigators Note: In researching Clonazepam, I found it is used to treat seizure and a variety of other medical conditions. Some users report hangover type symptoms and it is known to have a high potential for abuse. When abused, Clonazepam also referred to as Klonopin is typically used to enhance the effects of alcohol.

TRANSCRIPT OF INTERVIEW WITH [REDACTED]

Sgt. Baer: Internal Affairs. Sergeant Baer.

[REDACTED] Hi. This is [REDACTED]

- Sgt. Baer: Oh hi, Miss [REDACTED] How are you?
- [REDACTED]
I'm okay. Thank you.
- Sgt. Baer: Good - good. Hey. I'm gonna record our conversation for the report that I have to do. Um...
- [REDACTED]
Okay.
- Sgt. Baer: ...just uh - I just need to advise ya of that. Um, so wanted to talk to you about um, your car was involved in an accident back in January?
- [REDACTED]
Right.
- Sgt. Baer: And whoever was drivin' it had left it at the scene?
- [REDACTED]
Right.
- Sgt. Baer: And then can you tell me what happened after that as far as um, I heard you had maybe called somebody the next day or that night - I'm not sure when - and asked about...
- [REDACTED]
Yeah. I don't really remember, but go ahead, sorry
- Sgt. Baer: Yeah, but you had called somebody and asked about something that was uh, possibly missing from the car.
- [REDACTED]
Um, well my purse was in the car, and they...
- Sgt. Baer: Okay.
- [REDACTED]
...didn't al- allow me to get that out for like at least a week. And then when I finally received my belongings from the car...
- Sgt. Baer: Uh-huh.
- [REDACTED]
...uh, my medication was missing, and I don't remember - something else was missing. Um...
- Sgt. Baer: Something else, but you don't recall what it was?
- [REDACTED]
I don't recall what it was. No.
- Sgt. Baer: Mm-hm.

[REDACTED] But there were a few things missing.

Sgt. Baer: Yeah.

[REDACTED] Um, my purse, but I retrieved it uh, when I got it back from the station.

Sgt. Baer: And what kinda medication are we talkin' about?

[REDACTED] It was Klonopin.

Sgt. Baer: Klonopin.

[REDACTED] A prescribed medication from my doctor.

Sgt. Baer: Okay. And - uh, and this uh, what is that for if you don't mind ans-...

[REDACTED] I use it for - I have (unintelligible) which is uh - um, (unintelligible) like a little seizure disorder.

Sgt. Baer: Okay.

[REDACTED] Uh, in my palate. And I take that. It calms it down.

Sgt. Baer: Okay. And was it - were those pills in a prescription bottle?

[REDACTED] Yes.

Sgt. Baer: And were they labeled with your name?

[REDACTED] Yes.

Sgt. Baer: Okay. And what is the - is there an effect when you take that pill?

[REDACTED] Um, it kind of - um, it's in the um, benzodiazepine family.

Sgt. Baer: Mm-hm.

[REDACTED] So yeah, there is kind of an effect, but I mean, I've been on it for like ten years...

Sgt. Baer: Mm-hm.

[REDACTED] ...so...

- Sgt. Baer: Okay.
- [REDACTED] ...I don't really - there's not really an effect to me.
- Sgt. Baer: So in - in - I'm naïve in this - but do people - would people take that as a...
- [REDACTED] Yes.
- Sgt. Baer: ...a way to get...
- [REDACTED] Yeah.
- Sgt. Baer: ...high or...
- [REDACTED] Yes. People could take that as a way to get high.
- Sgt. Baer: Okay.
- [REDACTED] If you take - if you take more than a few.
- Sgt. Baer: Okay.
- [REDACTED] You could definitely get high from 'em.
- Sgt. Baer: How many pills were in the bottle?
- [REDACTED] I don't remember. It was I think a fairly new prescription.
- Sgt. Baer: Um, and then - so y- you didn't have your purse for a week?
- [REDACTED] Right.
- Sgt. Baer: What...
- [REDACTED] Uh, almost a week.
- Sgt. Baer: Mm-hm.
- [REDACTED] They wouldn't let me get it from - the police department wouldn't get it for me.
- Sgt. Baer: Okay. Did you try to get it?
- [REDACTED] Oh, yeah. I was down there calling every day.

Sgt. Baer: Okay. And who did you talk to?

[REDACTED] Um, I don't re- it's been so long.

Sgt. Baer: Was it one person or several people?

[REDACTED] Pers- a few different people. A - a woman - I think her name - she was in charge of like the collection of material from accidents or whatever.

Sgt. Baer: Okay.

[REDACTED] Things like that.

Sgt. Baer: Okay. And...

[REDACTED] And then um - uh, she would say well sergeant so-and-so's handling the case, and I would leave a message, and nobody would call me back, and this went on for days.

Sgt. Baer: Did they say they were investigating it...

[REDACTED] No.

Sgt. Baer: ...for some reason?

[REDACTED] Nope.

Sgt. Baer: No?

[REDACTED] Nope.

Sgt. Baer: Um, did you call anybody and - after you got your purse to say, you know, things are missing?

[REDACTED] Yes, I did - yes, I did. I called 'em up, and I spoke to the sergeant, and I don't remember his name that was handling - supposed to be handling the case, and he had never called me back.

Sgt. Baer: Okay. Um, was it [REDACTED]?

[REDACTED] That doesn't sound familiar, but I don't know. I...

Sgt. Baer: You don't remember.

[REDACTED] ...don't remember.

Sgt. Baer: Okay.

[REDACTED] It's been so long, and...

Sgt. Baer: Did you ever actually speak to anybody about it?

[REDACTED] No. They never called me back.

Sgt. Baer: Okay.

[REDACTED] I would call and leave messages after message, and nobody would call me back.

Sgt. Baer: Does the name Deputy [REDACTED] um...

[REDACTED] [REDACTED]?

Sgt. Baer: Deputy [REDACTED]

[REDACTED] Yes, yes.

Sgt. Baer: Did you...

[REDACTED] Yes.

Sgt. Baer: ...ever speak to Deputy [REDACTED]?

[REDACTED] Yes - yes.

Sgt. Baer: And what was that conversation like?

[REDACTED] It was more of just like a nothing. I got nowhere. I got nowhere. We went in there and actually spoke to that man...

Sgt. Baer: Okay.

[REDACTED] ...and - and there was like n- nothing.

Sgt. Baer: And this was...

[REDACTED] And I was told there was gonna be an investigation. I was basically told "You just have to wait."

Sgt. Baer: So you went in, and you spoke to Deputy [REDACTED] and you said "Hey. My -

[REDACTED]
my prescription's missing."

[REDACTED]
Yes. Yeah.

Sgt. Baer:
[REDACTED]
And what was his response?

[REDACTED]
"Well, you need to talk to the lady who handles uh - um, the gathering of the belongings." And then I spoke to her, and I told her.

Sgt. Baer:
[REDACTED]
Mm-hm.

[REDACTED]
I told everybody, and nobody cared.

Sgt. Baer:
[REDACTED]
Okay - okay.

[REDACTED]
Nobody helped me. Nobody - I had to call my doctor to get a new prescription.

Sgt. Baer:
[REDACTED]
Okay. Um, is it true or not that uh, maybe Deputy [REDACTED] called you several times and left voicemail messages?

[REDACTED]
No - no. That's not true. I think he did call me. We did speak. We did converse, but uh, he did not call me several times and leave voicemail messages.

Sgt. Baer:
[REDACTED]
Mm-hm.

[REDACTED]
I - I check my voicemail regularly.

Sgt. Baer:
[REDACTED]
Okay. So then this was somethin' that you kinda just let...

[REDACTED]
Nobody ever addressed it.

Sgt. Baer:
[REDACTED]
Okay.

[REDACTED]
And so I just called my doctor, I got a new prescription, but it was gone. It was missing.

Sgt. Baer:
[REDACTED]
Okay. Can you spell the name of the medication for me?

[REDACTED]
Uh...

Sgt. Baer:
[REDACTED]
If you don't know, I'll - I can look it up.

[REDACTED]
I have to get my prescription bottle. It's C-L-O-N-A-Z-E-P-A-M.

Sgt. Baer: And how many milligrams or uh...

[REDACTED] One milligram.

Sgt. Baer: One milligram?

[REDACTED] Mm-hm.

Sgt. Baer: Okay. And what do the pills look like?

[REDACTED] They're round and um, I think they're green.

Sgt. Baer: Green?

[REDACTED] The one milli- I'm now down to .5 milligrams so I'm on a different level.

Sgt. Baer: Oh, so then they're a different color?

[REDACTED] They're a different color.

Sgt. Baer: Oh.

[REDACTED] So I believe they're - the one milligrams were green.

Sgt. Baer: Okay. (Unintelligible). Um, so what was the outcome as far as your car and stuff like that?

[REDACTED] I don't know. I don't know. Nothing - nobody ever talked to me about it. I don't know what happened. Like I got cash for the car. I got a new car.

Sgt. Baer: Through your insurance.

[REDACTED] Uh, through my insurance.

Sgt. Baer: Okay.

[REDACTED] Uh...

Sgt. Baer: Was it stolen or?

[REDACTED] W- I had let him drive it. I did not know he was drunk.

Sgt. Baer: Oh, okay.

[REDACTED] I- he had alcohol in the car.

Sgt. Baer: Okay.

[REDACTED] Which I wasn't aware of. It - it...

Sgt. Baer: Okay.

[REDACTED] ...I don't - I'm not even sure exactly how it all took place...

Sgt. Baer: Okay.

[REDACTED] ...but there was a long - but um, and he hit the tree and left - like ran...

Sgt. Baer: Mm-hm.

[REDACTED] ...but then he went down to the police station and said it was him that did it.

Sgt. Baer: Okay.

[REDACTED] Because they th- they called my family at 3 o'clock in the morning...

Sgt. Baer: Oh, bec- yeah.

[REDACTED] ...saying that I...

Sgt. Baer: Tryin' to get to you.

[REDACTED] ...saying that I fled - fled the scene - that I got in the car accident and fled the scene.

Sgt. Baer: Okay.

[REDACTED] And my mom was hysterical.

Sgt. Baer: Mm-hm.

[REDACTED] And so um, he went down there and - and confessed that, you know, he was the one who did it.

Sgt. Baer: Okay. All right.

[REDACTED] But we were out - we were out at a - at a um, club, and um, he had um - I went with other friends, and then he took my car.

Sgt. Baer: Okay - okay.

[REDACTED] Mm-hm.

Sgt. Baer: All right. Um, I don't think I have any question - any more questions. Um - uh, but if I do, it's okay to call you back?

[REDACTED] Yeah.

Sgt. Baer: Okay.

[REDACTED] So what does this - what's going on...

Sgt. Baer: Oh...

[REDACTED] ...with this all?

Sgt. Baer: ...it's an internal investigation. I can't really discuss um - I can't discuss it with you. Um...

[REDACTED] Oh, okay. I just...

Sgt. Baer: ...but through my investigation, I - I've learned, you know, this incident with you and - and your missing uh, pills. Uh, so we wanted to follow up on that, and - and get your side of the story.

[REDACTED] Okay.

Sgt. Baer: You know? I mean, you're in no trouble, or we're not investigating you or anything like that.

[REDACTED] Okay.

Sgt. Baer: Okay?

[REDACTED] All right. Well thank you. Bye.

Sgt. Baer: All right. Thank you. July 24, 2014. Um, Sergeant Baer, internals uh, Internal Affair Office. Uh, and this is in regards to uh, complaint 14-56, and the time is 1125 hours.

Subject interview of Deputy Donald Couch

On Wednesday, July 23, 2014, about 1016 hours, Sergeant McGrory and I conducted an interview with Deputy Couch. The interview was conducted in reference to Internal Affairs case 14-056, to which Deputy Couch was a subject. The interview was conducted at the Internal Affairs Unit's conference room, 1401 Lakeside Drive, Oakland, CA.

The recording of this interview was subsequently sent to Net Transcripts to be transcribed. Once the transcription was transcribed, I listened to the recording and read the transcription to ensure its accuracy. There were a few corrections made and the following is a synopsis of the interview and an accurate transcription of the interview with Deputy Couch.

Prior to the interview, Deputy Couch was served an Alameda County Sheriff's Office Interview Information Subject form and a Lybarger Admonition form, which he read, he said he understood, and he signed. Deputy Couch had worked for the Alameda County Sheriff's Office for about ten years and had currently been assigned to C-Team at Dublin Police Services.

Because the allegations against Deputy Couch were narcotics related, I asked Deputy Couch to explain what type of formal training he received regarding narcotics. Deputy Couch received the basic academy training and on the job training while working at DPS. Deputy Couch stated he was temporarily assigned to the DPS Special Investigations Unit for three months and to Criminal Investigations for three months. Deputy Couch estimated he had made about 100 narcotics related arrests.

The allegations against Deputy Couch involved his failure to properly handle evidence, prescription medication, and knowingly taking prescribed medication with the intent to become intoxicated. Prior to asking Deputy Couch direct questions about those violations, I asked Deputy Couch if he was familiar with General Order 5.24-Collection of Evidence and General Order 3.27-Drug free work place. Because Deputy Couch stated he was not aware of each General Order, I had him read specific quotes from each General Order to help refresh his memory on the subjects. Deputy Couch stated he did not recall ever reading those orders, but was sure he had signed off on them at some point.

After reading the General Orders, I asked Deputy Couch if there had ever been a time that Deputy Couch was on duty and violated the general order regarding collection of evidence. Deputy Couch responded "Yes sir." Deputy Couch went on to describe the Extended Stay detail on June 21, 2014, and that he "wind tested" some pills. "Wind tested", is a term used by some law enforcement officers when speaking about unofficially destroying evidence, usually some type of drug. Deputy Couch said he responded to assist Deputy [REDACTED] and Deputy [REDACTED] because five subjects had been detained in the hotel room.

Deputy Couch stated a methamphetamine pipe, three laptops, an illegal knife, and "the pills," were located during the room search. Deputy Couch described the pills as being in a clear yellow plastic "non-descript" prescription bottle that had no label. According to Deputy Couch, the pill bottle was stuffed with marijuana wrapped in toilet paper and 8-10 pills. Deputy Couch was

reluctant to answer my question about who actually found the pills. However, Deputy Couch did admit to being the one who opened the pill bottle and identified the pills by using Deputy Couch's cell phone to look up the pills on a website called "Pill ID.com." Deputy Couch stated he learned the pills were Oxycontin. Deputy Couch did not recall what became of the marijuana. Deputy Couch thought he left it in the hotel room.

Deputy Couch told us because he was the "Senior" deputy on scene, he took Deputy [REDACTED] into the hallway to ask if the person Deputy [REDACTED] contacted was under the influence or not. After their conversation, Deputy Couch said he took Deputy [REDACTED] into the hallway in order to discuss criminal charges. Deputy Couch said he spoke to Deputy [REDACTED] about the pills and together they concluded taking the three suspects into custody for the misdemeanor offense of "being under the influence of a controlled substance" to avoid being behind on their reports and not being able to "associate" the prescription pills to anyone in the room.

Deputy Couch claimed it was "everyone's" decision to "wind test" the pills. Deputy Couch stated he gave Deputy [REDACTED] his "recommendation" about just making the misdemeanor arrests to "solve the problem for tonight" and to "wind test" the pills. Deputy Couch claimed they could not link any of the suspects to the pills. When pressed to answer the question about whose idea it was to get rid of the pills, Deputy Couch assumed responsibility because he was the senior member present.

Investigators Note: It should be noted the methamphetamine pipe, which was used to charge one of the occupants in the room, was found in the same bag as the Oxycontin. Deputy Couch's belief that the pills could not be linked to a suspect is false. The individual arrested for possessing the narcotic pipe could have been also arrested for possession of the prescription medication.

Deputy Couch retained possession of the evidence recovered from the hotel room. Deputy Couch stated he put the prescription pills into his duty bag. However, the remaining pieces of evidence, three laptops, one methamphetamine pipe, and one knife were put on top of Deputy Couch's duty bag. Deputy Couch was vague in what transpired after leaving the hotel room. Deputy Couch stated he did not go directly to DPS to place the items into evidence. Instead, Deputy Couch "tinkered" with one of the laptops in order to obtain information about the true owner. Deputy Couch stated while he drove around responding to details, the laptops kept falling onto the floor of his vehicle. At some point, Deputy Couch decided to bring the laptops to DPS to prevent them from becoming damaged. Deputy Couch put 2 laptops, 1 methamphetamine pipe, and 1 knife into evidence. Deputy Couch claimed he kept the third laptop to work on it and stated he forgot about the pills. Deputy Couch later put the laptop into his duty bag and began to work on "other things."

At the end of shift, Deputy Couch said he was very tired and "running on auto pilot." While driving home, Deputy Couch realized the third laptop was not placed into evidence. Deputy Couch pulled to the side of the road to see if the laptop was still in his duty bag. Deputy Couch looked into his trunk and also noticed the pills. Deputy Couch decided to throw the pills away at that time by tossing the whole bottle into some ivy plant along the roadway where Deputy Couch

stopped.

I asked Deputy Couch to clarify why there was no arrest made for possession of the prescription pills. Deputy Couch stated "We were all thinking that it was last day of shift and we would not have to stay and write the paper, but more than that I think we were acting from the mindset of the spirit of the law instead of the letter of the law in so much as that we were solving the problem for the night, they were gonna go to jail for the misdemeanor offenses." Deputy Couch claimed it was not out of the scope of what happens regarding overlooking felony offenses.

Welty asked Deputy Couch to describe the amount of marijuana left in the hotel room. Deputy Couch described the amount of marijuana removed from the prescription bottle as being "marble" size. Welty also asked Deputy Couch if Deputy Couch was "confident" about which suspect the pills belonged to. Deputy Couch said that no one claimed the pills and there was nothing that indicated who they belonged to.

Sergeant McGrory asked Deputy Couch if Deputy Couch knew there was a possibility the prescription pills Deputy Couch tossed away could be found by a passerby. Deputy Couch replied "I suppose it's possible" and agreed it posed a health risk. Sergeant McGrory asked Deputy Couch if any of the suspects took "responsibility" for the bag that the pills and methamphetamine pipe were found in. Deputy Couch stated "I don't remember if anyone took responsibility for the plastic bag or not." Deputy Couch stated he did not recall if anyone "fessed up" to owning the bag.

Investigators Note: In Deputy [REDACTED] original report from the Extended Stay Hotel detail, he and Deputy Couch searched duffle bags found in the room that a specific suspect stated belonged to him. Also, Deputy [REDACTED] report indicates that Deputy Couch located indicia inside that bag with the suspect's name on it. I believe Deputy Couch should have arrested the suspect for possession of the narcotic pills.

Deputy Couch was asked if he ever violated General Order 3.27. Deputy Couch stated he had and recalled the off duty incident which occurred at Deputy [REDACTED] residence. Deputy Couch did not remember specifics in regard to how the topic of prescription pills came up because his level of intoxication clouded his memory. Deputy Couch stated Deputy [REDACTED] gave him a pain pill, "along the lines of a Vicodin." Deputy Couch admitted to be very intoxicated and had drank 4 rum and cokes prior to ingesting the pain pill. Deputy Couch said he was not in pain and took the prescription pill because he was intoxicated. Deputy Couch was asked if taking non-prescribed medication was a crime. Deputy Couch replied "I understand that is against the law."

Because one of the allegations against Deputy Couch is regarding his taking prescribed medication for the purpose of becoming intoxicated, I asked Deputy Couch if he had ever been injured at work, had chronic pain, or since January 2014, been prescribed prescription medication. Deputy Couch answered "no" to all three questions. Deputy Couch stated poor judgment, being intoxicated, and going through rough times as the reasons Deputy Couch consumed a non-prescribed pain pill.

Welty asked Deputy Couch about personal issues Deputy Couch had been experiencing. Deputy Couch spoke about difficulties during the last year due to a divorce and not seeing his children on a regular basis. Welty asked Deputy Couch if Deputy Couch took the pills recovered from the Extended Stay for Deputy Couch's personal use. Deputy Couch adamantly denied taking the pills for personal use. Deputy Couch stated the pills could be dirty or laced with another drug.

It was also alleged Deputy Couch had taken prescription pills from a second detail which occurred on June 20, 2014, at the Cottonwood Apartments, 6538 Cottonwood Circle, Dublin. Deputy Couch confirmed he searched a storage shed in regard to the detail.

Deputy Couch's answer was slow and deliberate when I asked him about the items he recovered from the search. Deputy Couch stated "Um, there was methamphetamine, uh, three or four syringes. Um - um, there was I mean some food - other personal affects along with, and there was pills. There was four-four or five pills." Deputy Couch said he looked the pills up on Pillfinder.com and found the pills were not narcotics. I told Deputy Couch he was overheard saying "This is badness, this is badness, and these are for me," while pointing to the pills in the heroin kit. Deputy Couch did not recall saying that comment, but also stated "I'm not saying I did not say it."

Regarding Deputy Couch being seen placing the pills into his pocket, Deputy Couch stated the pills had been left behind because they were not part of the investigation, or criminally chargeable. Deputy Couch stated he advised Deputy [REDACTED] who was the primary deputy, about finding the pills. Deputy Couch stated he also advised Sergeant [REDACTED] about the pills and the fact that the pills were not narcotics. Deputy Couch said the recovered items, including the pills, were displayed on the hood of a patrol vehicle.

Deputy Couch described the pills as being round and white. I asked Deputy Couch to describe what Oxycodone looked like. Deputy Couch said Oxycodone is round and primarily white, but sometimes comes in other colors. Deputy Couch stated he immediately assumed the pills he found in the storage shed were Oxycodone and was surprised when the pills turned out to be something other than Oxycodone.

About 1115 hours, Sergeant McGrory and I stopped the interview for a break. The interview continued at 1119 hours.

Deputy Couch was suspected of taking prescribed medication from inside [REDACTED] vehicle when her vehicle was found abandoned on January 19, 2014. Deputy Couch recalled the incident, but denied removing a pill bottle from [REDACTED] purse. Deputy Couch admitted to searching the glove box of [REDACTED] vehicle. Deputy Couch did not remember the specifics of the detail and did not remember searching a purse.

Toward the end of the interview, Sergeant McGrory and I confronted Deputy Couch with the concern that he may have a problem with taking prescription drugs. Deputy Couch stated he does not have an addiction to pain pills but may have an "affinity" or "weakness" towards taking pain pills. When Deputy Couch stated he did not take prescription pills, I reminded Deputy

Couch of the incident which occurred off duty at Deputy [REDACTED] residence, when Deputy Couch illegally ingested a prescription pain pill.

Welty asked Deputy Couch if he was taking any steps to ensure he did not have an addiction to prescription medication. Deputy Couch stated he was meeting with a counselor and together they had discussed addiction and stresses in Deputy Couch's life.

The interview concluded at 1131 hours.

Follow-up subject interview of Deputy Donald Couch

On Tuesday, September 9, 2014, about 1125 hours, Sergeant McGrory and I conducted a follow-up interview with Deputy Couch. The interview was conducted in reference to Internal Affairs case 14-056, to which Deputy Couch was a subject. The interview was conducted at the Office of Homeland Security and Emergency Services, 4985 Broder Boulevard, Dublin CA.

Prior to the interview, Deputy Couch was served an Alameda County Sheriff's Office Interview Information Subject form, which he read, he said he understood, and he signed. Deputy Couch had worked for the Alameda County Sheriff's Office for about ten years and had currently been placed on administrative leave pending this investigation.

During Deputy Couch's July 23, 2014 subject interview, he stated that a non-descript pill bottle which contained about one dozen Oxycontin prescription pills and a small amount of marijuana had been located during the June 21, 2014 search of room 101 of the Extended Stay Hotel. During the interview, Deputy Couch said he retained possession of the Oxycontin and while driving home, stopped and threw the pills into ivy. The purpose of the follow-up interview was to have Deputy Couch take myself and Sergeant McGrory to the exact area where Deputy Couch claimed to have discarded the pill bottle.

Prior to Deputy Couch physically showing Sergeant McGrory and I the area where he discarded the pills, I asked him several clarifying questions related to the recovered Oxycontin. Deputy Couch confirmed that he was present on June 21, 2014 at the Extended Stay Hotel in room 101. I asked Deputy Couch to tell me what items he specifically located and from where those items were found. Deputy Couch stated he could not recall what items of evidentiary value he specifically located. Deputy Couch agreed that the recovered pills were Oxycontin and were found in a non-descript clear yellow plastic pill bottle, similar to a prescription pill bottle.

Before telling Deputy Couch about my wanting him to physically show me the area where he discarded the pills, I showed him a map of the general area near the Dublin Police Services. I asked Deputy Couch to show me the route he took to the area where he discarded the pills. Deputy Couch followed a pathway on the map and by drawing his own map to a road called Sierra Lane. From Dublin Police Services, Deputy Couch traveled north onto Sierra Court and east bound onto Sierra Lane. Deputy Couch explained that he took this route home in order to bypass the long traffic light at the corner of Dublin Boulevard and Dougherty Road.

At the conclusion of the interview, 1137 hours, I told Deputy Couch to accompany me and Sergeant McGrory to Sierra Lane and show us exactly where he discarded the pills. Deputy Couch and his legal representative, Steven Welty, rode with me and Sergeant McGrory to Sierra Lane. Deputy Couch directed me to the parking lot of [REDACTED] Sierra Lane, Dublin. Once there, Deputy Couch pointed out an island which separated the parking lots of [REDACTED] Sierra Lane and the adjoining business to the east. The island, which is about twenty feet in width, had oleander bushes planted in a row down the center and ivy as a ground cover. The area Deputy Couch stated he tossed the pill bottle was near the beginning of the island closest to Sierra Lane. Sergeant McGrory, Deputy Couch, and I searched through the ivy for several minutes in an attempt to locate the pill bottle Deputy Couch claimed to have discarded. We were met with negative results.

On September 11, 2014, Sergeant McGrory and I met K-9 Deputy [REDACTED] in front of [REDACTED] Sierra Lane. Deputy [REDACTED] told me his K-9, [REDACTED] is trained to locate narcotics, including prescription medications such as Oxycontin.

I showed Deputy [REDACTED] the area where Deputy Couch claimed to have discarded the pill bottle and asked him to search an area twice the size of that. Deputy [REDACTED] and K-9 [REDACTED] spent approximately 20 minutes searching the area with his K-9, with negative results.

TRANSCRIPT OF INTERVIEW WITH DEPUTY DONALD COUCH

Sgt. Baer: Okay. It's July 23, 2014. The time is about 1016 hours. This interview is in reference to an Internal Affairs Case 1456. I'll be conducting the interview with Deputy Donald Couch. The interview is being conducted in the Internal Affairs Conference Room on the 7th Floor of 1401 Lakeside Drive. Assisting in the interview is Sergeant Bob McGrory, also assigned to In- Internal Affairs. And present is Deputy Couch?

Deputy Couch: Yes.

Sgt. Baer: And his representative, Steve Welty.

Mr. Welty: Yes.

Sgt. Baer: Also present in the room is Deputy (Oscar Perez). He's in the room for training purposes only. And he's been told not to comment or ask questions regarding the interview. All right. Deputy Couch before I turned on the tape you were given the Internal Affairs Interview Information Subject Form?

Deputy Couch: Yes, sir.

Sgt. Baer: And you had a chance to review it with your representative?

Deputy Couch: I did.

Sgt. Baer: And do you understand it?

Deputy Couch: Yes, sir.

Sgt. Baer: And any questions?

Deputy Couch: No, sir.

Sgt. Baer: Okay. And you were also given a live order admonishment?

Deputy Couch: Yes, sir.

Sgt. Baer: And do you understand it?

Deputy Couch: Yes, sir.

Sgt. Baer: And any questions?

Deputy Couch: No, sir.

Sgt. Baer: And you signed both of those forms?

Deputy Couch: I did.

Sgt. Baer: Deputy Couch, have long have you worked for the Agency?

Deputy Couch: About ten years or going on ten years.

Sgt. Baer: Okay. And what is your current assignment?

Deputy Couch: My current assignment is patrolman at Dublin Police Department.

Sgt. Baer: Okay. And you're familiar with the internet - the Sheriff's Office Internet?

Deputy Couch: I am.

Sgt. Baer: Okay. And you're familiar with the process of signing off information using DMS?

Deputy Couch: I am.

Sgt. Baer: Okay. And are you current on that?

Deputy Couch: I don't know. I - I tried to stay up with it but we get quite a bit on the DMS.

Sgt. Baer: Okay. What kind of formal narcotics training have you had?

Deputy Couch: I've had - the Academy...

Sgt. Baer: Mm-hm.

Deputy Couch: ...the formal training. Then aside from that it's been in the field.

Sgt. Baer: So no 11-5 schools or DRE or anything?

Deputy Couch: No, sir.

Sgt. Baer: Okay. Within DPS, what other assignments have you held?

Deputy Couch: I was assigned temporarily to the Narcotics Task Force or the Narcotics Unit for three months and I also was assigned to investigations for three months.

Sgt. Baer: And when were those assignments?

Deputy Couch: The...

Sgt. Baer: What months did you...

Deputy Couch: ...you know, I don't know the months.

Sgt. Baer: What years?

Deputy Couch: The-the - I was with the Narcotics -- it's not the Narcotics. It's not called Narcotics. It's just the Special Investigations Unit, and that was early last year.

Sgt. Baer: 2013?

Deputy Couch: I would say, yeah, 2013. And then I just recently was assigned to General Investigations for three months.

Sgt. Baer: Okay. And how many narcotics-related arrests would you say you've had?

Deputy Couch: I have no idea, a lot.

Sgt. Baer: What's a lot? More than 10, more than 20, more than 30?

Deputy Couch: Yeah, more than 30.

Sgt. Baer: Less than a hundred?

Deputy Couch: I was...

Sgt. Baer: A lot?

Deputy Couch:less than a hundred - I mean in that ballpark.

Sgt. Baer: Okay. And then there's a couple of general orders I'm going to ask if you are familiar and if you're not, I have them for you to see. Are you familiar with General Order 5.24 regarding collection of evidence?

Deputy Couch: I am not, no.

Sgt. Baer: Okay. Not all the pages there but I've highlighted some sections that are going to relate to this interview. If you could go ahead and read them out loud so everybody...

Deputy Couch: Just the highlighted portion or-or all of it?

Sgt. Baer: Yes, please.

Deputy Couch: Alameda County Sheriff's Office members are responsible for the care and chain of custody of all recovered evidenced property until the submission of those items to the appropriate evidence room - property room and submitted into evidence shall bear the identification of the person responsible for submitting the evidence. All property evidence taken into custody shall be turned over to the custody and control of the property evidence technician during normal business hours. And then it says disposition of property or evidence returned to owner, agent, finder. Prisoner's personal property held as evidence shall be processed and secured as other items of evidence. Prisoner's personal property shall be inventoried and packaged according to policy and procedure 14.06. Prisoner property will be transported to the jail facility with the prisoner. Prisoner property not retained as evidence except bicycles will not be submitted to or stored in the evidence room. Personal property being held pursuant to 12028.5PC or 8102W09 shall be processed and secured as any other evidence. The property owner will be given a field property receipt.

Sgt. Baer: Having read that does that refresh your recollection on...

Deputy Couch: Yes, sir.

- Deputy Couch: ...okay. The next general Order is 3.27 and it's titled "Drug Free Workplace." And the same thing I've just highlighted one small area on Page 2.
- Sgt. McGrory: Let me - let me ask you a quick question first in-in the sections you just read. I know he asked if that refreshes your-your recollection and he says, yes. But do you recall having read those sections previously - previous today?
- Deputy Couch: No, I do.
- Sgt. McGrory: Do you think you ever signed off on that particular policy?
- Deputy Couch: I'm - I'm sure I have, yes, sir.
- Sgt. McGrory: Okay. When you first came on Department were you given a list of P&Ps and General Orders Directive saying you're required to sign off on a review?
- Deputy Couch: Yeah.
- Sgt. McGrory: And did you do that?
- Deputy Couch: I did.
- Sgt. McGrory: Okay.
- Deputy Couch: Do you want me to read this now?
- Sgt. Baer: Yes, please.
- Deputy Couch: Drug free workplace. Employees consuming unlawful drugs and/or medication shall not be under the influence of the unlawful drugs and/or medication to the extent that it impairs your ability to perform their duty. Employees who are prescribed lawful drugs and/or medication that may impair their ability to perform their job duties will inform their immediate supervisor.
- Sgt. Baer: And the same questions that Sergeant McGrory had asked would that apply to those?
- Deputy Couch: Yes, sir.
- Sgt. Baer: Okay. Has there ever been a time that you were on duty where you violated the General Order in collection of evidence?

Deputy Couch: Yes, sir.

Sgt. Baer: Tell-tell us about that.

Deputy Couch: Um, the incident that comes to mind most recently was a call where I went to where there were some pills that got wind tested.

Sgt. Baer: What-what detail was that?

Deputy Couch: I don't know the...

Deputy Couch: Where were you?

Deputy Couch: I was at the Extended Stay Hotel.

Sgt. Baer: And, of course, you're going to have to be a little more detailed on what happened that night.

Deputy Couch: Absolutely. Would you like me to go into it now?

Sgt. Baer: Yeah, please.

Deputy Couch: Um, there were, um, a call came out for (H&S) activity inside the hotel at the Extended Stay. It wasn't my beat but it - there was two officers going and when they got there, they had informed radio that there was five subjects in the hotel room so I went that way.

Sgt. Baer: And I - I need you to tell me who was there and...

Deputy Couch: Exactly.

Sgt. Baer: ...so just don't say officers.

Deputy Couch: I understand.

Sgt. Baer: Deputies, so and so were there. So who was there?

Deputy Couch: The Deputy [REDACTED] was there as primary. Deputy [REDACTED] was there also.

Sgt. Baer: Mm-hm.

Deputy Couch: I want to say there was another deputy there but I don't remember. I don't think they were there for very long.

Sgt. Baer: Mm-hm.

- Deputy Couch: They just made sure it was good and then they left. During the course of the interview or during the course of the investigation, two of the subjects were cut loose early on - the - and then the other three were balanced out.
- Sgt. Baer: Mm-hm.
- Deputy Couch: ...for 11-5.
- Sgt. Baer: Mm-hm.
- Deputy Couch: A search of the hotel room was conducted. Prior to that based on one of the subjects had a SAM 7.
- Sgt. Baer: Mm-hm.
- Deputy Couch: During the search we located, um, a meth pipe, three laptops, um, a knife - an illegal knife and, uh, and the pills. The pills were in a non-descript bottle, um, stuffed with...
- Sgt. Baer: What's a non-non-descriptive bottle?
- Deputy Couch: It was, uh, a clear yellow plastic bottle.
- Sgt. Baer: Mm-hm.
- Deputy Couch: Like a normal - like a common prescription bottle.
- Sgt. Baer: Mm-hm.
- Deputy Couch: It had no label or anything on it and I would say the majority of the bottle was stuffed with, uh, toilet paper.
- Sgt. Baer: Mm-hm.
- Deputy Couch: I was searching the room along with, um, the other deputies. When we came across the pills, we removed the marijuana...
- Sgt. Baer: Somebody actually had to find the pills who - I mean you all didn't find them together - who found the pills?
- Deputy Couch: Well, [REDACTED] and I were searching together.
- Sgt. Baer: Mm-hm.
- Deputy Couch: I don't know if I would be the finder or [REDACTED] would be the finder.